CODES

OF

THE FINANCIAL DEPARTMENT.

CIVIL PENSION CODE

CIVIL LEAVE CODE.

ACTING ALLOWANCE CODE.

FOURTH AUTHORISED EDITION,
CORRECTED TO 25TH APRIL 1879.

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THE CIVIL PENSION CODE.

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FORT WILLIAM.

FINANCIAL DEPARTMENT.

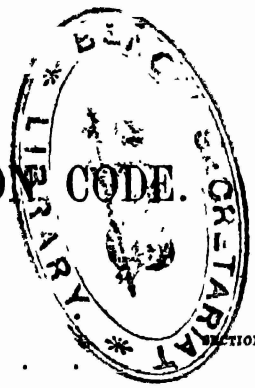
The 25th April 1879.

THIS Fourth Authorised Edition of THE CIVIL PENSION CODE, has been thoroughly revised. From this date the third edition will be superseded, and should no longer be quoted. Corrections and additions notified hereafter should be entered in their proper places.

2. As before, orders which apply only to particular individuals named in them are not included in the Code, and will remain in force, apart from it.

R. B. CHAPMAN,

Secretary to the Government of India.



THE CIVIL PENSION CODE.

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C. P. C.

Section 2 (a).

Page 1.

In the first sentence—

For "except" *substitute* "including"

After "Islands" *add* "excepting in the case of officers appointed directly by the Government of India"

For "his" *substitute* "their"

After "Post Office of India" *add* ", the Surveyor-General of India, the Commissioner of Inland Customs, the Inspector-General of Ordnance, Bengal, the Commissary-General, Bengal, the Director-General of Telegraphs, the Director-in-Chief, Indo-European Telegraphs, the Inspector-General of Military Works, and the Director-General of Railways." (91)

THE CIVIL PENSION CODE.

PRELIMINARY.

Section 1.—No standing order not contained in this Code or its Supplements should be quoted or trusted, in deciding, or submitting for orders, any question affecting pensions or gratuities to Officers engaged in the Civil Administration. If any Officer thinks that any order not embodied in this Code or its Supplements should be revived, he should refer the question, through the proper channel, to the Government of India. Without the special authority of the Government of India, no such order is valid.

CHAPTER I.

DEFINITIONS.

Section 2.—In this Code, unless there be something repugnant in the subject or context,— Interpretation clause.

(*a*).—"Local Government" includes a Chief Commissioner (~~except~~ the Chief Commissioner of the Andaman and Nicobar Islands), the Resident at Hyderabad, the Agents to the Governor General in Rajputana and Central India; and as regards Officers under ~~his~~ orders, excepting Officers appointed directly by the Government of India, the Director General of the Post Office of India. The Government of India exercises in each Department in respect to Officers serving under it and not under any Local Government, the power of a Local Government under Rules 3 and 4 of Section 61, Rules 1 and 2 of Section 65, and Sections 85, 86, and 87. Local Government.

(*b*).—"Qualify" and "Count" mean qualify and count for Pension or Gratuity under this Code. Qualify and Count.

(*c*).—Service is said to be "Pensionable" when it qualifies: and an Office is said to be "Pensionable" when service therein counts. Pensionable service and pensionable office.

(*d*).—When Pension or Gratuity is said to be chargeable to several accounts according to the "Rule of Propor- Rule of proportions.

tions," the meaning is that the charge should be debited to such several accounts in the proportions in which the aggregate pay drawn by the officer during the whole of his qualifying service has been paid from them.

Pay and Salary. (*e*).—"Pay" means "Monthly Substantive Pay and includes the emoluments defined in Section 80 (*a*)." "Salary" means the sum of Pay and Acting Allowance, or Charge Allowance under Section 32 of the Acting Allowance Code.

Local Allowance. (*f*).—A "Local Allowance" is an allowance, not specially declared to be "Pay" or "Salary," given to an officer in addition to pay or salary, either for duties which do not properly belong to his office, or in consideration of exceptional local circumstances, such as the unhealthiness or expensiveness of the locality or duty or the specially arduous nature of the work. A Local Allowance is paid in full to the Officer actually present on duty, and is not taken into account in calculating Leave Allowances or Pension. (*But see Section 16 and Rule 10 of Section 46, Civil Leave Code.*)

General revenues. (*g*).—"General Revenues" includes Provincial Revenues and the Revenues of Mysore and Berar.

Local fund. (*h*).—"Local Fund."—When revenue derived from special sources is devoted to special objects, and not to the general purposes of the Administration, whether Imperial or Provincial, the revenue so devoted forms a "Local Fund."

Foreign service. (*i*).—"Foreign Service" means service under a Native State, Municipality, Port Trust, Court of Wards, or other body financially independent of the Government of India. Service which is paid from a Local Fund under such circumstances that it does not qualify is also Foreign Service.

Covenanted Civil Service and Civil Servant. (*j*).—"Covenanted Civil Service" means the Bengal, Madras and Bombay Covenanted Civil Services of the Crown. A "Covenanted Civil Servant" is a member of the Covenanted Civil Service.

Uncovenanted Officer. (*k*).—An "Uncovenanted Officer" is a public servant not belonging to the Covenanted Civil Service or the Army.

Barrister. (*l*).—"Barrister" means a practising Barrister of England or Ireland and a practising member of the Faculty of Advocates of the Court of Session of Scotland. It does not include a person who, though a Barrister, has never practised the profession of Barrister.

Pension includes gratuity. (*m*).—Except when the term "Pension" is used in contradistinction to Gratuity, "Pension" includes "Gratuity."

CHAPTER II.

EXTENT OF APPLICATION.

Application of the Code.

Section **3**.—The Rules in this Code and its Supplements apply to all Public Officers, excepting Officers and men in the Army or Navy (including Covenanted Medical Officers)* and Officers of the Subordinate Medical Department. The Rules in Chapter VII, however, apply to the officers thus excepted.

Officers not subject to the Code.

Section **4**.—The Rules in the body of the Code do not apply to the undermentioned Officers, whose pensions are regulated by the Special Rules contained in the Supplements:

(*a*).—Covenanted Civil Servants. (*Supplement A.*)
(*b*).—Judges of the High Courts of Judicature. (*Supplement B.*)
(*c*).—Chaplains. (*Supplement C.*)
(*d*).—Members of the Bengal Pilot Service. (*Supplement D.*)

Exception.

The Rules in Chapter VII, however, apply to Covenanted Civil Servants.

Option of old rules.

Section **5**.—The following Officers are allowed to exercise an option, once only, between the Rules in this Code (which, for the most part, came into force on the 8th June 1863) and the Rules which previously applied to them:

Civil Engineers, Public Works Department, and Civil Officers, Telegraph Department.

(*a*).—A Covenanted Civil Engineer of the Public Works Department or a Civil Officer of the Telegraph Department, may, if, his covenant is dated before the 8th June 1863, elect between the Rules in this Code and the Rules which were in force when he executed his covenant, and which are set forth in Appendix B1.

Provided that, if he elects the latter, he must abide also by the Leave Rules which were in force for Uncovenanted Officers before the 8th June 1863, excepting the Rules for Privilege Leave and Subsidiary Leave, which kinds of Leave are regulated, in all cases, by the Civil Leave Code and its Supplement F.

* The Code applies to all Officers employed under the Military Department whose service is not pensionable under Military Rules.

Marine Engineers.

(*b*).—A Marine Engineer in Bengal and Bombay, engaged under covenant in England before the abolition of the Indian Navy, is allowed to serve under the Rules in this Code, and the Leave and other Rules in force for Uncovenanted Officers; or, at his option, under the terms of his covenant.

[NOTE.—By electing the Rules in this Code and the Uncovenanted Leave Rules, he does not surrender the other rights secured to him by his covenant.]

CHAPTER III.

GENERAL PRINCIPLES AND GENERAL EXCEPTIONS.

Right of making or interpreting rules.

Section **6**.—The Government reserves to itself the right of changing the Rules in this Code from time to time at its discretion and of interpreting their meaning. An Officer's claim to pension is governed by the Rules in force at the time when he resigns or is discharged from the service of Government: he is not entitled to concessions withdrawn before, or made after, his resignation or discharge. The general purport of this Rule is inserted by the Secretary of State in all covenants for service in India to which he is a partner, which contain a promise of pension under the Uncovenanted Service Pension Rules.

Removal for misconduct.

Section **7**.—Pension may not be granted to an Officer whom it is desired to remove for misconduct or inefficiency.*

* We often experience great difficulty from the Rules in force not allowing the grant of a pension when, owing to inefficiency, which may, perhaps, not always be his fault, an Officer is no longer able to perform satisfactorily the duties required of him.

3. We forward herewith a copy of papers relating to the case of A. B. as an illustration of this inconvenience. After serving Government for about 28 years, A. B. was removed for inefficiency, for which he was clearly not to blame.

4. Even the Rules applicable to pension on Medical Certificate would not always meet such cases; and we should be glad to be allowed to exercise a discretion in granting to Officers, whom it is desirable to remove from the service for inefficiency, due to whatever cause, such pension as may in each case seem to us expedient. We should limit such pension, ordinarily, to the amount admissible under Section 68 of the Civil Pension Code: it would probably be very seldom necessary to grant even so much.

ERRATA.

Page 4, *Section* 6, *Line* 10—*for* "partner" *read* "party."

Absent on leave.

Section 8.—An Officer may be admitted to pension while absent on leave whether in or out of India.

Pension to be in rupees.

Section 9.—A pension (except a pension granted under Section 74) is fixed in rupees and not in sterling money, even though it is to be paid in England.†

No account of broken periods.

Section 10.—Fractions of a year are not to be taken into account in calculating any Gratuity admissible to an Officer under any Rule in this Code.

Service under Military Rules.

Section 11.—Service which is pensionable under Military Rules does not count; and an Officer who is counting service for military pension cannot simultaneously count service for civil pension.

Example.—An Officer of the old Indian Navy, in civil employ, cannot count his naval service.

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5. What we wish is to be able to discharge, upon some reasonable conditions, an Officer whom it is not desired to keep in the public service, but whose conduct has not been such as to justify his dismissal without any provision for his subsistence, or, perhaps, the infliction upon him of any penalty whatever.—*Government of India to Secretary of State, No. 39, dated 17th January 1873.*

I cannot sanction any general arrangement by which pensions not authorised by existing Rules could be granted without reference to the Secretary of State. I shall, however, be prepared to consider any proposal you may make for the grant of a Special Pension in a case of the nature to which you refer; but such proposed grant should always be made to, and be sanctioned by me, before any communication on the subject is made to the Officer concerned.—*Secretary of State's reply, No. 133, dated 27th March 1873.*

1. I have considered in Council your Financial letter dated the 7th August 1876, No. 270, reporting the circumstances under which you have decided to dispense with the services of C. D, an Executive Engineer, giving him a gratuity of six months' pay with a free passage to England or the Colonies.

2. It appears from the papers forwarded with your letter that C. D. has been in the Department about eleven years, but that he has not proved an efficient Officer, which may, however, be probably accounted for in some measure by the bad health from which he has suffered, and that the Local Government are of opinion that the most economical course to pursue in his case would be to give him a gratuity, and dispense with his services.

3. You state that there were hardly sufficient grounds for C. D.'s dismissal, while, on the other hand, as the medical report on his case did not declare him to be permanently incapacitated for further service in India, he had no claim, under the Pension Rules, to any gratuity on removal from the Service, and that it appeared to you to be more advisable to dispense with his services on the terms above referred to, than to retain him in the Department, even in reduced position.

4. Your proceedings are confirmed.—*Secretary of State, No. 369, dated 5th October 1876.*

† I cannot authorise a violation of the Rule under which all Indian pensions are fixed in rupees; and, therefore, I am unable to sanction the grant of a pension of £ (*x*) to A. B.—*Secretary of State, No. 344, 25th October 1877.*

Exceptions.

Exceptions.—(1). Military Hospital Assistants and enlisted Native Doctors are excluded, by this Section, from pension under this Code; but a Military Hospital Assistant or Native Doctor, promoted to be an Assistant Surgeon, counts service retrospectively from the date on which he passed his examination as Hospital Assistant.

(2). Inspectors in the Telegraph Department who came from England as Artificers in 1853, and did not take their discharge from the Army till about 1863, count their departmental service.

(3). In the Public Works Department, Warrant Officers in the grades of Conductor and Sub-Conductor and Non-commissioned Officers, must, when promoted to the Engineer establishment, take their discharge from the Army, and their whole departmental service then qualifies retrospectively.

(4). A Non-commissioned Officer or private soldier in Civil Employ, who took his discharge from the Army before the 1st November 1873, or, if he was in the Public Works Department, before the 1st November 1874, counts his whole civil service. A Native Soldier employed in the Public Works Department, if he took his discharge from the Army before the 31st December 1875, counts his whole civil service; otherwise, a Non-commissioned Officer or soldier whether attached or unattached cannot count service for civil pension until, with the consent of his civil departmental superior, he is discharged from the Army, when he may count his civil service for one year retrospectively.

[NOTE.—This Rule does not apply to soldier-clerks in Military offices. (*See G. G. O. by the Military Department, No. 1292, dated 22nd December 1875.*) But if such a clerk is afterwards employed in the Civil Department, he may count his service in the Military office, provided that he takes his discharge within twelve months after joining his appointment in the Civil Department.]

Guide Corps.

(5). An enlisted member of the Bombay Corps of Guides, transferred as a draftsman to the office of the Quarter Master General, Bombay Army, counts his service in the Guide Corps as if it had been in civil employ.

Cumulative pensions inadmissible.

Section **12.**—An Officer cannot earn two pensions in the same office at the same time, or by the same continuous service.

Example.—A soldier who obtains his discharge from the Army under *Exception* (4), Section 11, is not entitled to any pension in the Military Department, for the portion of his military service which he will thereupon count as civil service.

Two claims for one office inadmissible.

Section **13.**—Two Officers may not simultaneously count service in one office.

Section 11.

Page 6.

Insert the following Rule under this Section :—

1. The Government of India may, in special cases, allow service which is pensionable under Military Rules to count for pension on the Inferior Scale, reporting such grants periodically to the Secretary of State. (1 A.G.)

No. 22.

C. P. C.

Section 13.

Page 6.

Strike out the Example under this Section.

Example.—An Officer appointed to an office substantively *pro tempore* in place of an Officer deputed temporarily to fill an office which is not pensionable may not count his service in such appointment unless the deputed Officer vacates, for the time, his claim to pension in respect to his own office.

Persons paid for specific services.

Section **14.**—Pension is not earned by a person whose whole time is not retained for the public service merely because he is paid for work done for the State.

Examples.—This Rule applies among others to the following Officers:—Advocate-General, Solicitor to Government, Government Pleaders and Law officers not debarred from private practice, Sheriffs and Deputy-Sheriffs in Presidency Towns, Coroners, Roman Catholic Priests.

Barrister.

Section **15.**—A Covenanted Civil Servant is not entitled to any special privileges by reason of his being a Barrister, and an Uncovenanted Officer is not entitled to any special privileges by reason of his being a Barrister, unless, on his first admission to the Service, he is appointed to some office in which the Local Government, with the sanction of the Government of India, has declared it to be necessary to employ a Barrister.

Officers holding non-pensionable offices in addition to pensionable offices.

Section **16.**—A Public Servant who holds some other pensionable office earns no pension in respect of an office of the kind mentioned in Section 14, or in respect of duties paid for by a Local Allowance.

Service under covenant.

Section **17.**—Service under a covenant which contains no stipulation regarding pension does not qualify, unless the Government of India specially authorises an officer to count such service.

Service for a time only.

Section **18.**—An officer who is appointed for a limited time only, or for a specified duty on the completion of which he is to be discharged, has no claim to pension.

Service as an apprentice.

Section **19.**—Service as an Apprentice (excepting as an Engineer Apprentice in the Public Works Department) or, in the Bengal Presidency, as a Supernumerary Assistant Surgeon, does not qualify.

Service begins after or before he is 22 years.

Section **20.**—Except for Compensation Gratuity, Superior Service by an officer whose age is less than

twenty-two years does not qualify. But, excepting Class III (2) (*b*), the Officers described in Schedule A are exempt from this disability.

Date on which service of civil engineers begins.

Section **21**.—(*a*).—Provided that an officer of Class I in Schedule A lands in India on or before the 1st December of the year in which he passes out of College, his service counts from the preceding 1st October.

(*b*).—The service of an Officer of Class I who does not land in India by the said 1st December, and of an Officer of Class II or III (1), counts from the date on which he landed in India.

(*c*).—An Officer of Class I who is required to follow a course of practical Engineering in England under a Civil or Mechanical Engineer counts time so spent to the extent of one year as service towards pension. Provided that such an Officer lands in India within three months from the date of the despatch appointing him to the service, the time to be so counted is to be prefixed to that date; otherwise the said time will be prefixed to the date on which he lands in India.

Full pension not to be granted of course.

Section **22**.—The full pension admissible under the Rules is not to be given as a matter of course, or unless the service rendered has been really approved.—(*See Secretary of State's Despatch No. 174, dated 8th September 1863, printed at foot of pages 41 and 42.*)

Reduction.

1. If the service has not been thoroughly satisfactory, the Local Government should make such reduction in the amount of pension as it thinks proper.

CHAPTER IV.

QUALIFYING SERVICE.

FIRST CONDITION.—SERVICE UNDER GOVERNMENT.

Service under Government.

Section **23**.—The service of an Officer does not qualify unless he is appointed, and his duties and pay are regulated, by the Government, or under conditions determined by the Government.

Accountant, Silladar Regiment.

1. The service of a Native Accountant appointed to a Silladar Regiment in the Bombay Presidency on or after the 6th February 1875 does not qualify.

Office under Board of Trade.

2. The following are examples of officers excluded from pension by this Section:—A Marine officer paid by fees fixed by the Board of Trade; Officers of a Municipality; Officers of grant-in-aid schools and institutions (*e. g.*, the Asiatic Society, and the Canning College at Lucknow); Subordinate officers appointed by the Trustees of the Indian Museum after the 10th May 1878 when the income of the Museum was constituted a Local Fund; Subordinates appointed by Treasurers on their own responsibility, *e. g.*, Tahvildars in the North-Western Provinces, and Fotadars (Money-testers) in Bengal.

Municipalities.

Grant-in-aid schools and institutions.

Treasurers' subordinates.

Certain exceptional Bengal grant-in-aid schools.

3. The Educational authorities in Bengal having induced certain Teachers of Government institutions to accept service in Grant-in-aid schools, by declaring a Rule regarding Bombay schools (*Section 37, Case c*) to be applicable to their case, were directed, in December 1863, to offer to these teachers re-employment in Government schools. Those of them who accepted such re-employment reckon their service (not exceeding three years) in Grant-in-aid schools as service under Government.

Schools in Central Provinces.

4. The service of a Teacher appointed before the 29th January 1876 to a District or Anglo-Vernacular school in the Central Provinces, who is paid, wholly or partly, by the contributions of Municipalities or local subscriptions, qualifies.

Printing Department, Bengal Secretariat.

5. The service of the officers of the Bengal Secretariat Press, who, before August 1868, were paid partly from savings by the reduction of the copying staff of the Secretariat and partly from subscriptions to the *Calcutta Gazette*, qualifies.

Contract establishment.

Section **24**.—Service on an establishment paid from a Contract Establishment Allowance, with the detailed distribution of which the Government does not interfere, does not qualify whether such contract allowance is a fixed amount or consists of fees.

[NOTE.—The establishments of the Subordinate Judicial Officers, including Munsifs in Bengal and the North-Western Provinces, ceased to be paid from a contract allowance from May and June 1861, respectively.]

Registration offices.

1. The maximum Establishment Allowance for Registration offices in Bengal is not a contract allowance within the meaning of this Section, because the Inspector General of Registration, under the orders of Government, regulates its distribution, and any balance unspent is saved to Government.

Allahabad pay office.

2. The service of the clerks retained in the Allahabad Pension Pay office, when it became a regular establishment, qualifies although they were formerly paid from an Establishment Allowance.

Service paid from household allowances.

Section **25**.—Service on an establishment paid from the Household Allowance of the Viceroy, or of a Governor

or Lieutenant-Governor, does not qualify. (*But see Rule 2 under Section 40.*)

Service under employers supplanted by Government.

Section **26**.—In the following cases, service under an employer to whose position Government has succeeded qualifies:

Berar and Mysore.

(*a*).—Service in Berar and in Mysore by officers transferred to the Government of India when it undertook the administration of those Provinces.

Service under Native States.

(*b*).—Service rendered to a Native State, and continued to the British Government, on the lapse or annexation of the State, when old age or infirmity renders the Officer a fit object for pension.

Talukdari schools, Oudh.

(*c*).—Service, in superior grades, in Talukdari schools which were converted into Government schools on the organisation of the Educational Department in Oudh.

Military Funds.

(*d*).—Service by Officers who were on the establishments of the Military and Medical Funds when the Funds were taken over by Government.

Soldiers of Sikh Darbar.

(*e*).—Service was guaranteed to the soldiers of the Sikh Government, who, on annexation, entered the British service in the following Regiments:

The 1st, 2nd, 3rd, and 4th Punjab Police Battalions.
The 3rd Punjab Light Field Battery.
The 4th or Garrison Company of Artillery.
Two companies of Punjab Sappers.

In accordance with the guarantee, such soldiers who, on the 28th October 1861, were in employment in any Department, are entitled to receive pension for their service under the Sikh Darbar and for that under the British Government under the Rules for Invalid Pensions to soldiers in Local or Irregular corps.

CHAPTER V.

QUALIFYING SERVICE.

SECOND CONDITION.—PERMANENT AND SUBSTANTIVE EMPLOY.

Service permanent and temporary.

Section **27**.—Service does not qualify unless the Officer holds a Substantive Office on a Permanent Establishment.

Transfer from temporary establishment.

1. Service in an office which, although at first created experimentally, or temporarily, eventually becomes permanent, qualifies; but this Rule does not apply to the case of an Officer who is enter-

Section 27.

Page 10.

Add the following to this Section:—

but upon such conditions as it may think fit, in each case, to impose, the Government of India may allow temporary service to count for pension, if the pension does not exceed Rs. 10 a month. (2 A.G.)

Section 27, *Rule* 2.

Page 11.

After "Officer" *insert* "without a substantive appointment." (*f*)

tained temporarily in one appointment and afterwards transferred to another substantive appointment.

2. An Officer officiating in an office which is vacant, or the permanent incumbent of which does not draw any part of the pay or count service, may, if he is confirmed without interruption in his service, count his officiating service. Officiating service in vacant office.

3. The service of a Probationer who holds a substantive office and draws substantive pay, qualifies. So does that of an Officer who is on probation for a substantive office, if he is employed in a vacancy reserved for him, pending probation, and in which no other Officer simultaneously counts service. Probationer.

Section **28.**—If an Officer on a Permanent Establishment is detached on Temporary Duty, on the understanding that, when the Temporary Duty ceases, he will return to the Permanent Establishment, he counts his detached service. Permanent officer deputed.

1. This Section permits the temporary suspension of the second condition of qualifying service which forms the subject of this Chapter: it does not authorise any relaxation of the first condition (which is the subject of Chapter IV), or the third condition (which is the subject of Chapter VI), and; in particular, must not be understood to countenance any modification of the Rules in Chapter VII, which apply to an Officer on Foreign Service. Explanation.

2. Service as Private Secretary to the Governor General or a Governor qualifies, provided that the Officer belongs to the Covenanted Civil Service or to the Staff Corps, or belonged, before his appointment as Private Secretary, to the Uncovenanted Service. Service as Private Secretary to Governor General or Governor.

Section **29.**—If the Substantive Office of an Officer is abolished, within the meaning of Section 59, but the Officer is, at the time, on special duty, or is, on abolition of his office, deputed on special duty, his service on special duty qualifies. Employment on special duty on abolition of substantive office.

1. The duty must be *special;* mere employment, in continuation of permanent employment, in a temporary appointment which happens at the time to be vacant, does not qualify. Character of special duty.

2. The service of an Officer of the Marine Service continues to qualify when, upon the abolition of his appointment, he is retained on Subsistence Allowance or in an Acting Appointment. Marine Officer on subsistence allowance or acting employ.

Section **30.**—A Section-writer, or a Press-servant, who is paid for piece-work, is treated as having held a substantive office, if— Press servants and Section-writers.

(1) he is employed, not casually, but as a member of a fixed establishment; and

(2). during the last seventy-two months of his actual employment he has been attached to one office uninterruptedly for twenty-four months, or it has not been through his own choice or misconduct that he has not been so attached.

Exceptions.

Section **31**.—In the following cases, Temporary Service qualifies:—

Medical charge of Government vessel.

(*a*).—A Medical Officer, in charge of a Government vessel, may count his service afloat, if he is transferred, without interruption of his service, to the Uncovenanted Medical Service.

'Works' establishments, Public Works Department.

(*b*).—A claim by an Officer of the Public Works Department, whose pay was charged to "Works," before the issue of the Circular Order in the Public Works Department, No. 6 of 1862, but whose employment was really permanent, will, if the sanction to his entertainment was regular, be specially considered by the Government of India.

Preventive Service, Calcutta.

(*c*).—If the Collector of Customs in Calcutta, in transferring an Officer from the Extra or Contingent List of the Calcutta Customs Preventive Service, declares that the transfer is made on the ground of good service rendered, the service of the transferred Officer on the Extra or Contingent List qualifies.

Settlement and Survey Departments.

Section **32**. (*a.*)—Service in the undermentioned Settlement and Survey Departments which are (or were) on a quasi-permanent footing, qualifies, provided that the

Purely temporary employ.

Officer is (or was) not engaged on the understanding that his appointment is (or was) only temporary, or that he was or would be liable to be discharged after a short period of service:—

> The Settlement Departments in Madras, the North-Western Provinces, Oudh, and the Punjab. The Revenue Survey Departments in Bengal, Madras, and Bombay. The establishments of the Inam Commissioners of Madras and Bombay. The Alienation Settlement Department in Bombay.

(*b*).—Elsewhere (and in those Provinces also, except in the Regular Departments), Settlement and Survey work is Temporary Service, and does not count. But if service in the Settlement Department in any Province,

or in the Malabar Escheat Establishment, Madras, is followed, without interruption, by Qualifying Service, it qualifies.

1.—Deputy Collectors and similar Gazetted Officers, when not especially employed for temporary work, are not affected by this Rule, as they count service independently of the particular Department to which they happen for the time to be attached.

CHAPTER VI.

QUALIFYING SERVICE.

THIRD CONDITION.—SOURCE OF REMUNERATION.

Specification of sources.

Section **33**.—Service which satisfies the conditions prescribed in CHAPTERS IV and V qualifies, or does not qualify, according to the source from which it is paid.

Political Agencies.

1. Officers on the establishments of Political Agencies are exempt from this condition. But when a Political Agency is established at the charge of a Native State, every member of the establishment, Covenanted or Uncovenanted, must pay to the British Government, in respect of his Pension and Absentee Allowances, a contribution equal to what would be levied from him under Section 46, if Section 45 applied to him.

[NOTE.—This condition was ordered, on the 30th December 1871, to be introduced gradually, whenever existing arrangements were revised. Officers of the Rewah Political Agency then already paid six per cent.]

Railway Police.

2. Members of Office Establishments in the Railway Police in Bombay, who are wholly paid by the Railway Companies, are also exempt from this condition.

Service how paid.

Section **34**.—Service is paid as follows:—

FROM THE GENERAL REVENUES.

FROM LOCAL FUNDS.

FROM FUNDS IN RESPECT OF WHICH THE GOVERNMENT HOLDS THE POSITION ONLY OF A TRUSTEE.

BY FEES LEVIED BY LAW, OR UNDER THE AUTHORITY OF THE GOVERNMENT.

BY COMMISSION.

BY THE GRANT, IN ACCORDANCE WITH LAW OR CUSTOM, OF A TENURE IN LAND, OR OF ANY OTHER SOURCE OF INCOME, OR RIGHT TO COLLECT MONEY.

Paid from General Revenues.

Section **35**.—Service paid from the GENERAL REVENUES qualifies:

Process-serving establishments.

1. The service of Process-servers (or Naib Nazirs who were paid from the same source as Process-servers), before the Court Fees Act, 1870, was passed, qualifies as follows:—

In BENGAL—
Service paid from the Fund formed under Act V of 1863, Bengal Council.

In the NORTH-WESTERN PROVINCES—
(*a*).—Service under the Civil Courts after 31st December 1863.
(*b*).—Service under the Revenue Courts after 31st December 1865.

In the PUNJAB—
Service after 14th March 1859.

In OUDH, the CENTRAL PROVINCES, and BRITISH BURMAH—
All service.

In BOMBAY—
Service paid from the Ameens' Fee Fund.

[NOTE.—In Madras, the service of Process-servers, before their appointment under the Court Fees Act, 1870, did not qualify.]

Berars and Mysore.

Section **36**.—Pensions for service paid, wholly or partly, from the Revenues of Mysore or Berar, are charged to those Provinces wholly, or according to the Rule of Proportions, as the case may be.

Hyderabad Contingent.

[NOTE.—Pensions granted to Officers and men of the Hyderabad Contingent under Military Rules, are charged to the Revenues of Berar by the same Rule.]

General Revenues recouped from other sources.

Section **37**.—The service of an Officer appointed, controlled, and paid by the Government counts, notwithstanding that the cost of his appointment may be defrayed, wholly or in part, otherwise than from the General Revenues.

The following cases fall under this Rule:—

Shipping Master.

(*a*).—The Shipping Master and Deputy Shipping Master, and their establishments, at Bombay, and the Deputy Shipping Master in Calcutta, the cost of which offices is provided for by shipping fees.

Hooghly and Elphinstone Colleges.

(*b*).—The establishment of the Hooghly College and Collegiate Schools, while the cost thereof was borne by the Mohsin Trust Fund, and also that of the Elphinstone College and High School, the cost of which is recovered from a private endowment.

Section 39.

Page 15.

Substitute—

Section 39.—Subject to any provisions of law applicable to the case, the Local Government may allow the Trustees, Committee, or Managers of an Incorporated Local Fund to treat service paid therefrom as qualifying.

(*c*).—Masters and Assistant Masters in schools established in Bombay on the old system (converse to the Grant-in-aid system) whose pay was met in part by local contributions. The pension in this case is reckoned only on the share of pay paid by Government. Bombay schools on old system.

(*d*).—The establishment of the Sehor (Bhopal) School, the expense of which is paid in part by local subscriptions. Sehor School.

(*e*).—The following Customs establishments in Bombay, the cost of which is paid for by private Companies :— Customs establishments, Bombay.

Name of establishment.	Monthly Cost.	Name of Company reimbursing to Government.
	Rs. A. P.	
1. P. and O. Company's Dockyard at Mazagon.	621 8 0	P. and O. Company.
2. B. I. S. N. Company's Dockyard at Mazagon.	238 0 0	British India Steam Navigation Company.

(*f*).—When Police Officers are entertained at the cost of individuals and corporate bodies under Sections 13, 14, and 15 of Act V of 1861 of the Governor General of India in Council, or under Sections 14, 15, and 16 of Act VII of 1867 of the Governor of Bombay in Council, an additional charge of one-fourth of the pay of Officers whose pay is not less than Rs. 100 a month, and of one-eighth of the pay of others, must be defrayed by the persons for whose benefit the Officers are employed, provided always that the additional charge shall not be made when such Officers do not belong to the Regular Police, but are only temporarily engaged, their service not counting for pension; or when the pay of the Officers is a charge upon the Public Treasury. (*See Section 114* (*b*).) Special Police.

(*g*).—Second Writers and Darogahs on Jail Establishments in the Bombay Presidency. Jail writers, Bombay.

(*h*).—A Book-keeper of the High Court at Bombay, whose pay is provided for by a three per cent. commission on invested funds. Book-keeper, High Court, Bombay.

Section **38**.—Except as provided in Sections 39, 40, and 41, service paid from LOCAL FUNDS does not qualify. Paid from local funds.

Section **39**.—If a Local Fund satisfies the two conditions following, *viz.*,—

(1) that its income is derived from taxation, or other *permanent* source, and not from charitable donations or voluntary subscriptions; Discretional power of Government.

(2) that the source of its income is under State Control;

the Local Government may, at its discretion, treat service paid therefrom as qualifying.

Municipality.

1. Taxes imposed by Municipalities are not under State Control; therefore, service under a Municipality does not qualify. But there are, in the Bombay Presidency, some Local Funds administered by Municipalities, the source of whose income is under the control, not of the Municipalities, but of the State; for the Municipalities cannot abolish them or reduce their income. In these cases, if the first condition is fulfilled, the Municipality is a Local Fund within this Rule.

Malcolm Peith Municipality.

2. This Section applies to Public Officers in Superior Grades transferred to service under the Municipality of Malcolm Peith, which is under State Control.

Port Funds.

3. Also to establishments paid from Port Funds managed by Government, and not by Trustees.

Imperial account offices.

4. Also to Officers paid from Local Funds employed in State Account offices.

Other Local Funds.

5. A pension may be given for service rendered at the charge of a Local Fund, even though it do not satisfy the conditions prescribed in this Section, if, with the permission of the Local Government, the Trustees of the Fund pay to the Government the capital value of the pension, which value shall be determined, till further orders, by Table A in Appendix E. In such case the Government will thenceforth pay the pension.

Pension charged against Fund.

Section **40.**—Pension for service under a Local Fund or paid from a Local Fund, is paid from the Local Fund.

Mixed service.

1. When part of the pensionable service of an Officer has been paid from the General Revenues and part from Local Funds, his pension is paid according to the Rule of Proportions: the pensionable Local Fund service may not be neglected, and a pension awarded only for the service paid from General Revenues. Provided that, if, under this Rule, less than one-fourth of the pension would be payable from either source, no distribution shall be made; in such case the other source shall bear the whole charge.

Viceroy's household establishment.

2. If an Officer has served partly (in a capacity which would have given him claim to pension if the service had been paid from the General Revenues) on the Household Establishment of the Viceroy, and partly on establishments paid from the General Revenues, he is entitled, from the General Revenues, to a share of any pension to which he would have been entitled if his whole service had been paid from the General Revenues, proportionate to the length of the service which has been so paid.

Example.—A. B., a Messenger on a pay of Rs. 8 a month, has served altogether 32 years, of which 16 years were passed on the Household Establishment of the Viceroy. If A. B.'s whole service had been paid from the General Revenues, he would have been entitled under Section 76 *(b)* to a maximum pension of Rs. 4 a month. A. B. will receive from the General Revenues a maximum pension of Rs. 2 a month.

Pension Funds.

3. The Government does not guarantee the solvency of Funds (such as the Local Educational Pension Fund, Bombay) formed by the subscriptions of Local Fund Officers, and established to provide pensions for the subscribers thereto.*

Exceptions to general rule.

Section **41**.—In the following cases, service paid from Local Funds qualifies:—

Cotton Frauds establishment, Bombay.

(*a*).—Public Officers transferred to Establishments under the Cotton Frauds Act, Bombay, before the receipt of the Secretary of State's despatch to the Government of India, No. 302, dated 16th December 1864, which directed their early re-transfer to the Regular Service.

Lithographic press, Calcutta.

(*b*).—Officers of the Lithographic Press, Calcutta, transferred with it to the Alipur jail in January 1860, and afterwards paid from the Convict Labour Fund.

Public Works Engineers lent to local funds.

(*c*).—Members of the Regular Public Works Establishments, employed, under the authority of the Local Government, on Local Funds works. From the 10th January 1872, this permission was restricted to Engineer Officers.

Paid from Trust Funds.

Section **42**.—Service paid from FUNDS WHICH GOVERNMENT HOLDS ONLY AS A TRUSTEE, such as under a Court of Wards or in an Attached Estate, does not qualify.

Paid by fees or commission.

Section **43** *(a)*.—Service in an OFFICE PAID ONLY BY FEES, whether levied by law or under the authority of Government, or by a commission, does not qualify.

(b).—Service in an office paid by fees or by commission, in addition to pay from the General Revenues, qualifies.

Administrator General, &c.

1. Service as Administrator General, or as Official Assignee, does not qualify, even though (as in Madras and Bombay) the income from fees or commission is supplemented from the General Revenues.

Nazirs paid by fees.

2. Sheriffs (Nazirs) on the establishments of Civil or Revenue Courts, who were paid, wholly or partly, by fees, are entitled to

* See Appendix C, Extract 1.

pension, unless the establishment on which they have served is excluded by Section 24.

Thoogyees. 3. Service as a Thoogyee (local collector of revenue paid by commission), in Burmah, qualifies.

Paid by a tenure in land. *Section* **44.**—Service paid by the grant, in accordance with law or custom, of a tenure in land, or of any other source of income, or right to collect money, does not qualify.

Kaira hereditary officers. *Exception.*—An officiating Hereditary District Officer in Kaira appointed under Act XI of 1843, if transferred to qualifying service, counts his previous service.

CHAPTER VII.

FOREIGN SERVICE.

[NOTE.—The Rules in this Chapter apply to all Officers in the service of the British Government.*]

Officers transferred after 14th October 1871. *Section* **45.**—The following Rules apply to Officers transferred on or after the 14th October 1871 (or, in the case of Teachers transferred to the service of the Chamba and Kolhapur States, on or after the 22nd October 1875)† from qualifying service to Foreign Service. Provided—

(1) that the transfer is made on public grounds, and not only in the private interest of the Officer transferred;

(2) that the Officer is transferred with the consent of the Local Government; and

(3) if he is transferred for service under a Native State, with the consent also of the Government of India in the Foreign Department.

* See Appendix C, Extract 2.

† For the Rules applicable to the case of Officers transferred before the 14th October 1871 (or, in the case of Teachers transferred to the service of the Chamba and Kolhapur States, before the 22nd October 1875), see Appendix D.

Contribution required.

Section **46** (*a*).—From every Officer transferred in the manner specified in Section 45, who does not wholly resign the Service of the British Government, or who is not, for recorded special and public reasons, exempted from the operation of the Rules in this Chapter, a contribution is levied of one-fifth of the salary which he receives from his employers; that is to say, he receives from his employers Pay and Acting Allowance fixed in accordance with the Rules of the Public Service, for the appointment which he holds or in which he officiates, and, retaining four-fifths, pays one-fifth to the Government of India: Provided always that the contribution from an Uncovenanted Officer shall in no case exceed two hundred and fifty rupees a month.

Government obligation.

(*b*).—In return for this contribution, the Government accepts the charge for the Officer's Pension and also that for his Absentee Allowances (except on Privilege Leave, ~~regarding which no arrangement can be made~~, and during which the contribution must be paid in the same manner as if the Officer were on duty), in the same manner and to the same extent as if he were in the Regular Service of the British Government; saving only that the calculation of Pension or Absentee Allowance is based upon the four-fifths pay which he retains, and not upon the full amount which he receives.

Temporary duty.

1. No contribution is levied from an Officer who is transferred to Foreign Service for a special temporary duty not lasting more than six months.

Contribution upon part of salary.

2. With the special permission of the Government of India in the Financial Department, or, if such contributions are a Provincial Asset, then of the Local Government, an Officer may contribute a part only, not being less than two-thirds, of his salary: Provided that Pension or Absentee Allowance, in every case, is calculated only upon four-fifths of the amount on which the contribution is paid.

Contribution for pension only by a Native of India.

3. A Native of India, not being a Covenanted Civil Servant, may resign all claims to allowances from the British Government during leave. In such case, the contribution required is twelve per centum instead of one-fifth, and in no case exceeds one hundred

and thirty-six rupees a month; and the pension or absentee allowance is calculated upon 88 per cent. ($\frac{22}{25}$ths) of the amount on which the contribution is received.*

Inferior servants.

4. From Inferior Servants,* the contribution required is one anna in the rupee for pension only; the Government of India pays no Leave Allowances to such servants.

Officers contributing for pension only not entitled to absentee allowance from British Government and their foreign service will not on return to British service count for leave.

5. An Officer who under Rules 3 and 4 contributes for Pension only, is entitled to no Absentee Allowance from the British Govern-

* There being reason to suppose that a misapprehension exists as to the principles upon which the Pension and Leave Contributions of Officers whose services are transferred to Native States, or bodies financially independent of the Government of India, are calculated, I am directed to request that particular attention may be paid to the Rules on the subject laid down in Chapter VII of the Civil Pension Code. I am especially to point out that the salary of any Officer whose services are lent to a Native State, or a body financially independent of the Government of India, should be fixed at a gross amount, which will include (1) the contribution payable on account of leave and pension or gratuity, or (2), in the cases of Native officers who resign all claims to allowances from the British Government during leave, and also of inferior servants, the contribution for pension or gratuity only.

In most instances, the officers transferred desire that their absentee and pensionary allowances should be calculated on the pay which they received from the British Government before transfer. The following illustrations are given of the manner in which the gross pay under the Native State, or a Body financially independent of the Government of India, should, in such cases be fixed:—

(1.)—An Officer, on being transferred to service under a Native State, &c., wishes to retain his claims to Absentee and Pensionary Allowances from Government. His pay under the British Government is Rs. 1,000. If it is desired that his Absentee and Pensionary Allowances should be calculated on this pay, his gross pay receivable from the Native State, &c., should be fixed at Rs. 1,250, so that a deduction from this of the contribution of one-fifth will leave him a net pay of Rs. 1,000.

(2.)—An Officer who is a native of India, on being transferred to Service under a Native State, &c., resigns all claims to allowances from the British Government during Leave, and desires to contribute for Pension and Gratuity only. His pay under the British Government is Rs. 1,000. If he wishes that his Pension or Gratuity should be calculated upon this pay, his gross pay receivable from the Native State, &c., should be fixed at Rs. 1,136-5-9 (reduced under the operation of Section 46, Rule 3, to Rs. 1,136), so that a deduction of twelve per cent. will leave him a net pay of Rs. 1,000.

(3.)—An Inferior Servant, whose pay under the British Government is Rs. 10, desires that, on transfer to a Native State, &c., his Pension or Gratuity should be calculated on this pay. His gross pay under the Native State, &c., should be fixed at Rs. 10-10-8, so that a deduction of one anna in the rupee, or 6¼ per cent., will leave him a net pay of Rs. 10. *Circular, Financial Department, No. 1803, dated 14th March 1878.*

Rule 3.

After "leave" *insert* "in respect to his Foreign Service."(30)

Page 20.

Cancel Rule 5.(30)

Foot-note.

Page 20.

In Illustration 2, third sentence, for "Rs. 1,136-5-9," &c., to "Rs. 1,000," *substitute* "Rs. 1,250, of which he will pay Rs. 136-5-9 (reduced under the operation of Section 46, Rule 3, to Rs. 136) to the British Government on account of pension, retaining a net pay of Rs. 1,114, and being entitled to no Leave Allowances." (79)

ment during any leave which he may take while not in the employ of the British Government; and, if he returns to such employ, his Foreign Service will not count for Leave under the Civil Leave Code and its Supplements. Any Leave, however, which he may take from his foreign employers, will count, or not count, as Service under this Code, exactly as if it were Leave taken from service under the British Government.

Contribution to be deducted at time of payment.

6. If the salary of the Officer is disbursed at a British Government Treasury, the required contribution is deducted at time of payment; otherwise, the Officer himself must pay the amount, directly, to the British Government, in such manner as may be arranged: the Government will not ordinarily enter into any direct arrangements with the foreign employers of its Officers or make any direct demands upon them.

Information required.

7. The Officer must furnish all information which may be required from him by the Accountant General.

Withholding contribution.

8. An Officer is not permitted to withhold the contribution upon condition that the time of his Foreign Service shall not count for Pension or Leave: he must either wholly resign the British Service or, unless he is specially exempted, make the contribution required by these Rules.

Salary fixed by Government.

9. In order to prevent claims for undue amounts of pension, the assent of the Local Government must be obtained to any increase of the pay or allowance of any Officer who contributes under this Chapter, or who, under any other circumstances, earns by Foreign Service a pension payable by the British Government. The assent of the Local Government should be withheld from any increase which does not appear reasonable and such as would be allowed if the Officer was serving the British Government. The liability of the Government in respect of pensions will be strictly limited to the amount of pay so sanctioned. Subscriptions should not be accepted, and pension will not be paid in respect of pay not thus sanctioned. From the 1st February 1879 this Rule applied to Officers to whom the Rules in Appendix D apply.

Period for which Native State, &c. will bear the charge for salary.

10. The salary of an Officer on Foreign Service must be borne by the Foreign Body to whose service he is transferred, from the date on which he is relieved from his duty under the British Government to the date on which he is relieved from his duty under the Foreign Body.

Officer paid from Local Fund may subscribe.

11. An Officer who is paid from a Local Fund may, on first appointment, with the permission of the Local Government, and upon production of a Medical Certificate, under Section 61, Rule 2, subscribe for a Pension under this Section. The Rules of the Code will then apply to such officer so long as he continues to subscribe for pension, as if he were paid from the General Revenues.

Record of particulars for identification.

12. When the Local Government allows an Officer to subscribe for Pension, his name, the date of his birth, and other particulars

necessary for his identification, must be recorded in the office of the Accountant General. The Medical Certificate should also be sent to the Accountant General.

Kolhapur School.

13. The Rules of this Code apply to an Officer appointed to the Kolhapur School before the 22nd October 1875; but the British Government is not responsible for any pension to which he may become entitled. Such pension is payable only from the Fund described in Rule 1 (*b*), Appendix D. If such an Officer is transferred to British Service, any pension to which he may become thereafter entitled is payable according to the Rule of Proportions by the British Government and from the said Fund.

Covenanted Civil Servant's contribution.

14. The deduction made under this Section from the salary of a Covenanted Civil Servant includes the deduction on account of his annuity. The portion which is to be considered as deduction on account of annuity is equal to one-twenty-fourth part of the salary remaining to the Officer after the whole deduction. If, however, the salary to be drawn is already fixed on other considerations (as, *e.g.*, if the Officer is to receive a salary equal to his salary before transfer), the contribution under this Section should be calculated upon the salary which remains to him after the usual deduction on account of annuity.

Example.—The salary of A. B. is Rs. 1,000. The deduction on account of his annuity is Rs. 40, and the contribution which he must pay, if transferred to serve under the Native State, $\frac{1000-40}{4} = 240$. The whole charge on the Native State is Rs. 1,000, *plus* Rs. 240, or Rs. 1,240. From this A. B. will pay Rs. 240 to Government. A. B. will pay separately Rs. 40 on account of annuity.

No right of property in contributions made.

15. No Officer has any right of property in contributions made under this Section, or any claim upon Government in respect to such contributions, except to receive such Pension or Absentee Allowance as may become admissible to him in accordance with the Rules in this Code or its Supplements.

Pension, &c., regulated under the Rules of the Government of India. Saving from absence of an officer ordinarily accrues to his employer.

Exceptions thus referred to.

16. The Pension, Leave, and Acting Allowances of an Officer on Foreign Service, whether acting or permanent, are regulated by the Rules which apply to Officers of the Government of India. Any saving arising from the absence of a permanent Officer accrues to his employers, except when an Officer is exempted from the payment of the contribution prescribed in this Section (*see Section* 47 (*c*) *and* (*d*)), when the saving should be paid to the British Government.

Lien upon substantive appointment under the British Government.

17. If an Officer is, under this Chapter, transferred from Qualifying Service to substantive Foreign Service, it must be arranged that he does not forfeit a lien upon his Substantive Office under the British Government, which his *locum tenens* can only hold substantively for the time only, under Section 6 of the Acting Allowance Code.

An Officer so transferred cannot return to Acting Service under the British Government without reverting also to his Substantive British Office, the *locum tenens* of this office thereupon falling back upon Acting Allowances. No Officer, while acting in any appointment under the British Government, or the pay of which is regulated by the British Government, is entitled to allowances on account of any Foreign Office. But there is no objection to his being permitted to retain a lien upon such an office, or to the actual incumbent being appointed thereto, during his absence, substantively, for a time only.

Section 47.—The Rules in this Chapter do not apply in the following cases:— Excepted cases.

(*a*).—Assistant Opium Agents in Independent Native Sates, who are paid by the Native States. Assistant Opium Agents.

(*b*).—Medical Officers lent to charitable dispensaries or hospitals in British India, and vaccinators enrolled as Officers of Government and employed in Military Cantonments or under Municipalities or paid from Local Funds. The service of these Officers counts as if it were British service. Charitable dispensaries

(*c*).—The Chairman of the Commissioners of the Town of Calcutta, or of the Municipal Corporation of the City of Bombay, or the President of the Municipal Commission for the Town of Madras. The exemption of these Officers from the operation of the Rules in this Chapter is a substantial contribution by the Government to the Municipal Revenues, granted in consideration of the fact that the Local Government, and not the Municipalities, appoints these Officers. Chiefs of Municipalitie of Presidency towns.

(*d*).—Political Officers employed in the Sawant Wari and Kolhapur States on the 18th August 1875, and also those who may be thereafter appointed to offices held by British Officers in those States on the 18th August 1875. Political Officers employed in Sawant Wari and Kolhapur States.

(*e*).—Officers lent to the Nair Brigade of the Travancore State. Nair Brigade.

[NOTE.—The Travancore State pays a portion of the Furlough Allowances of Officers attached to the Brigade.]

(*f*).—Officers lent to the Travancore State to fill the office of Durbar Physician or any offices held by Officers of the British Government on the 29th January 1873. Travancore State.

(*g*).—An Officer lent to Her Majesty's Government in England, or to any Colonial or Foreign Government outside of India, receives, at the charge of Indian revenues while Colonial Governments.

so serving, the English Furlough Pay of his rank in addition to the allowances that may be assigned to him from other sources, and his service counts subject to the following limitations:—

(1). If an Officer is appointed to serve on a Personal Staff out of India, the privilege first named shall not be enjoyed beyond three years.

(2). When an Officer's services are lent for other than Imperial purposes either in England or in a British Colony or to a Foreign State, the Officer shall contribute to the Indian Exchequer a proportion, to be fixed by the Government of India not exceeding one-fifth of the emoluments which he may receive during his Foreign Service.

CHAPTER VIII.

SUPERIOR AND INFERIOR SERVICE.

Section **48**.—Qualifying Service is divided into SUPERIOR and INFERIOR.

Inferior service.

Section **49**.—Service on pay not exceeding ten Government rupees, and service in the following capacities, or in any office which has been graded as Inferior by the rule or practice of the Local Government, is INFERIOR SERVICE:—

Artificers, other than those specified in Rule 1, under Section 50, Handicraftsmen, and Labourers.
Bazars. Chaudharies of—
Daftaries and Muchies.
Dockyard and Military Artificers not specially provided for in Section 75.
Forest Watchmen.
Maistries in the Public Works Department.
Menial and inferior servants of all sorts.
Messengers, Orderlies, and Peons, and their petty Officers.
Money-testers (Fotadars).
Pressmen (including Machine Pressmen) and Distributors in printing and lithographic establishments.
Priests, and other officers employed to administer oaths.
Sarkars—except Counting Sarkars in the Stamp Office, Calcutta.
Seamen and Boatmen.
Shroffs whose pay does not exceed fifteen rupees.
Stud Department Cultivators in the—
Tallaties (Village Accountants, Bombay).
Turnkeys.
Weighmen in the Mints (excepting the Head Weighmen).

Section **50.**—All other service is SUPERIOR SERVICE. Superior service.

1. The service of the following Officers is Superior if their pay exceeds ten Government rupees:—

Bazars.* Kotwals of—
Book-binders whose professional occupation is book-binding, and who are not mere Daftaries.
Catamaran Maistries at Madras.
Commissariat Inspectors.
Divers.
Light-houses. Signalmen in—
Maistries in the Murramat Department under Civil Officers in the Madras Presidency, as respects service up to the year 1856.
Medical Department. Cutlers in the—
Mint. Artificers, if their occupation is injurious to health.
Printing Establishments. Workmen employed in—except those whose work is purely mechanical, such as Distributors and Pressmen: but Press servants admitted under Section 30 count service as superior for those months only in which their earnings exceed ten rupees.

[NOTE.—Underwarehousemen in the Government Press, Madras, and Impositors are superior servants.]

Quarter-masters, Tindals, Dockyard Tindals, Serangs, Dockyard Serangs, Marine Engine-drivers, and Stoker-tindals.
Section-writers admitted under Section 30, in those months only in which their earnings exceed ten rupees.
Gunpowder Manufactory of Madras. Workmen employed in the—before the 28th January 1871 when they become permanently disabled by sickness or old age. These are admitted even if their pay does not exceed ten rupees.
Gunpowder Manufactory, Poona. Fitters and Engine-Drivers of the—
Hospital Purveyors.
Shroffs, whose pay exceeds fifteen rupees; also Shroffs in Madras who were in the Service on 22nd May 1856, and those in Bombay who were really Clerks, and those whose designation was, under the order of the Secretary of State, No. 1, dated 22nd October 1858, changed into Karkuns.
Stud-breeding Establishment. Zilladars in the North-West—
Telegraph Department. Artificers, Assistant Artificers, Mounted Artificers, and Linemen in the— The service of a Lineman is superior even if his pay does not exceed ten Government rupees.
Tomandars and Naib Tomandars of the Thuggee and Dacoity department.
Vaccinators, including, in the Madras Presidency, those whose pay is ten rupees.
Victualling Gomastahs.
Wakils attached to the Barr Infantry (Mysore).

2. If an Officer holds two or more offices, each of which is Inferior by reason of its pay not exceeding ten rupees, he cannot count service as Superior, on the ground that his aggregate pay exceeds ten rupees, unless the offices were arranged and their pay determined, with the intention that they should be held by one individual. Two or more inferior offices.

Section **51** (*a*).—When the regular duties of an Officer whose pay exceeds ten rupees, but who bears an Doubtful cases.

* On 14th December 1869 the following was declared to be the establishment of Kotwals of Bazars in Bombay. Officers who, on that date, filled these posts, may be classed with Superior Servants retrospectively in respect of service as Kotwal or as Chaudhary of any of the Bazars enumerated:—
Puna (two), Belgaum, Disa, Mhow, Nasirabad, Aden, Maligaum, Assirghar, Nimach, Ahmadabad, Ahmadnagar, Sholapur, Hyderabad, Jacobabad.

inferior designation, are really such as are ordinarily performed by a Superior Servant his claim to pension should be specially referred to the Government of India.

[NOTE.—It is not intended by this Section that an Inferior Servant should count service as Superior n virtue of his voluntarily assisting in superior work. It provides for the case of a person who is *engaged under due authority to do Superior work*, though with an inferior designation.]

(*b*).—On the other hand, an Officer whose real duties are those of an Inferior Servant, even though his pay exceeds ten rupees, is not entitled to pension on the Superior Scale merely because he draws pay under a superior designation.

Examples.—A Lithographic Pressman returned as a copying clerk. Accountants in the North-Western Provinces who served under the designation of "Fotadars."

Mysore. 1. In consideration of the low scale of pay prevailing in Mysore during the Native Administration, the Chief Commissioner may allow service, even on pay not exceeding ten rupees, in offices which must have been filled by educated men, to reckon as Superior Service. (*See Section 79, Rule 1.*) But this concession only applies to Officers who were in the service of the Mysore State before 1862, and served continuously since that year.

CHAPTER IX.

PERIODS OF LEAVE AND SUSPENSION.

Furlough counts and does not count.

Section **52**.—An Officer belonging to any of the Classes described in Schedule A, except Class III (2), counts Furlough as service as follows:—

If the service of the Officer be not less than—	*He counts as service furlough for—*
20 years	2 years.
25 „	3 „
30 „	4 „
35 „	5 „

Otherwise time passed on Leave other than Privilege or Subsidiary Leave does not count as Superior Service. Time passed on Leave subsidiary to Leave on Medical Certificate by an Officer who has twice before had Leave on Medical Certificate out of India does not count.

Section 52.

Page 26.

Insert the following as Rule 1 *under this Section :—*

1. This Section applies specially to Messrs. Brandis, Schlich, and Ribbentrop of the Forest Department. (49)

Before "otherwise" in this Section insert "*Section* 52 *A*." (49)

1. This Section applies to Leave on Medical Certificate taken even before 1856, notwithstanding that such Leave was reckoned as Service under the Rules in Appendix B1. Leave before 1856.

2. Time passed on Leave during recess, on half-pay, by the following officers counts :— Exception.

Native Surveyors	...	Bengal Revenue Survey Department.
Lower Subordinates	...	Forest Survey.
Forest Subordinates	...	Kumaon and Garhwal.

3. Time passed on leave obtained to be present at an examination which must be passed before an Officer is eligible for higher subordinate appointments such as Deputy-Magistracies, counts (*Section 14 of Supplement F to the Civil Leave Code*). Certain kind of Examination leave.

4. When an Officer is deputed out of India on duty, the whole period of his absence from India counts. When an Officer on leave out of India is detained on duty, the period of such detention counts. Deputed or detained out of India.

5. When, on the recommendation of the Government of India, an Officer of the Public Works Department on Furlough in Europe is employed in England by the Secretary of State on the inspection of stores for India, the period of such employment counts. Officer of Public Works Department on furlough detained on duty of a certain kind

6. The Local Government may commute retrospectively periods of absence without leave into Leave Without Allowances. Commutation of absence without leave.

Section **53**.—An Inferior Servant counts periods of authorised leave. Inferior service.

1. Leave granted by Competent Authority not exceeding in amount that admissible under Supplement F to the Civil Leave Code is "authorised."

Section **54**.—Time passed under suspension pending enquiry into conduct counts, if the suspension is immediately followed by reinstatement. Time passed under suspension adjudged as a specific penalty does not count.* Suspension.

1. If an Officer who has been suspended pending enquiry into his conduct is reinstated, but with forfeiture of any part of his

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* *Rules regulating the allowances of Uncovenanted Officers during Suspension.*

I.—Saving as provided in Rule III (ii), the salary of an Officer who is dismissed ceases absolutely from the date of his dismissal: no allowances may be granted to him for any period occupied in his prosecution of appeals against the order dismissing him.

II.—Saving as provided in Rule III (ii), an Officer suspended from office as a penalty for misconduct is entitled to no salary while he is absent from duty.

III.—Subject to the proviso that, without the permission of the Local Gov-

allowances for the period of suspension, this period does not count. But the Authority who reinstates the Officer may expressly declare at the time that the period shall count.

CHAPTER X.

FORFEITURE OF PAST SERVICE.

Interruption.

Section **55**.—AN INTERRUPTION in the service of an Officer entails forfeiture of his past service, except in the following cases:—

Leave.

(*a*).—Authorised Leave of Absence.

Absence after leave.

(*b*).—Absence prolonged after the end of Leave:

Provided that, if an Officer remains absent for more than a week after the end of Privilege Leave, his past service is forfeited, unless the Authority whose duty it is to make the appointment, re-appoints him and makes a declaration (to be communicated to the Accountant General) that his past service, or part of it, shall qualify. If he remains absent for more than a month, his past service cannot count without a special order by the Government under which he is serving.

[NOTE.—This proviso took effect from the 11th January 1869.]

Suspension.

(*c*).—Suspension immediately followed by reinstatement, which need not be to the same office.

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ernment, no expenditure may be incurred in excess of what would have taken place if the Officer had remained on duty,—

(i) Subsistence Allowance, at a rate not exceeding one-quarter of his salary, may be granted by the Authority suspending him, to an Officer removed from office pending enquiry into his alleged misconduct: Provided that, if the Officer is a European, his Subsistence Allowance should not commonly be less than Rs. 25 a month: if his salary be less than Rs. 100 a month, the rate may be increased accordingly.

[NOTE.—This Subsistence Allowance is authorised as a matter of grace only, and cannot be claimed as of right.]

(ii) If the Suspension of an Officer as a penalty for misconduct is, upon reconsideration or appeal, held to have been unjustifiable or not wholly justifiable, or if an Officer dismissed from office or suspended pending enquiry into his alleged misconduct is, after enquiry, or upon reconsideration or appeal, reinstated, then the revising or appellate Authority may grant to the Officer, for the period of his absence from duty,—

(1) if the Officer is honorably acquitted, full salary;

(2) otherwise, such portion of his salary as to the revising or appellate authority may seem expedient.

Section 55.

Page 28.

Substitute the following for Clause (*b*) :—

(*b*).—Unauthorised absence in continuation of authorised leave of absence, so long as the office of the Absentee is not substantively filled ; if his office is substantively filled, the past service of the Absentee is forfeited :

Provided that if the Absentee is subsequently re-instated, the Authority whose duty it is to make the appointment, within three months, or, the Local Government, within one year, from the end of the authorised leave of absence, may declare, in an order to be communicated to the Accountant General, that his previous service, or any part of it, shall not be forfeited. (7)

(*d*).—Abolition of Office. Abolition of office.

(*e*).—Transfer to non-qualifying service inan establishment under Government control. The transfer must be made by Competent Authority; an Officer who voluntarily resigns Qualifying Service cannot claim the benefit of this exception. Transfer to a Grant-in-aid school entails forfeiture. (*But see Rule 3 under Section 23.*) Transfer to non-qualifying service.

(*f*).—Transfer to service on the Household Establishment of the Viceroy. Household establishment.

(*g*).—Loss of appointment owing to the Mutiny, provided that the Officer affected cleared his character, and was re-appointed as soon as a suitable vacancy was found for him. Mutiny.

(*h*).—Transit from one appointment to another, provided that the Officer is transferred under the orders of Competent Authority, or, if he is a Ministerial Officer, with the consent of the Head of his old office. Transit from one office to another.

Section **56**.—Resignation of the Public Service, or removal from it for misconduct, inefficiency, or failure to pass a prescribed examination, entails forfeiture of past service. Resignation of or removal from, office.

1. Resignation of an appointment to take up another appointment service in which counts, is not held to be a resignation of the public service.

2. Any authority who, on revision or appeal, reverses an order dismissing an Officer, may declare that the past service of the reinstated Officer counts.

3. An Officer who resigned the Public Service, before the 8th June 1863 if he was a Superior Servant, or before 1st September 1871 if he was an Inferior Servant, and was re-appointed to the Public Service within twelve months from his resignation, counts his service rendered before resignation. This Rule can be applied to only one resignation. Excepted cases.

Section **57**.—Upon such conditions as it may think fit, in each case, to impose, the Government of India may condone Interruptions in Service not exceeding twelve months in all; and the Local Government may condone such interruptions not exceeding three months in all: Provided, in each case, that the interruption is not caused by Resignation, Removal for Misconduct or Inefficiency, or Failure at an Examination. Condonation of break.

CHAPTER XI.

CONDITIONS OF AWARD OF PENSION.

Classification.

Section **58**.—Pensions are of four classes:

COMPENSATION PENSIONS.
INVALID PENSIONS.
SUPERANNUATION PENSIONS.
RETIRING PENSIONS.

1. A GRATUITY is paid in a single sum, and not by instalments.

2. A gratuity is intended to be less valuable than a pension, and should not be awarded if it is likely to impose upon the State a higher charge than would arise from a pension. (*See Rule 5 under Section 105.*)

Compensation pension.

Section **59**.—A COMPENSATION PENSION is awarded to an Officer discharged from the Public Service because, on a reduction of establishment, his appointment is abolished.

Re-employment to be found if possible.

1. To pension an Officer still capable of useful service is a waste of public money; before a pension is granted to such an Officer discharged on abolition of appointment, it must be carefully considered whether he cannot be otherwise provided for. The Head of a Department, in forwarding an application for Compensation Pension, should invariably state for what reasons it has been found impossible to provide suitable employment for the applicant; and in the Quarterly Statements furnished by Local Governments of such pensions, it should be stated in each case, that it has been found, after careful enquiry, impossible to provide for the Officer elsewhere.

Reasonable notice to be given.

2. Reasonable notice should be given to an Officer in permanent employ before his services are dispensed with on the abolition of his office. If, in any case, such notice is not given at least three months before dispensing with the Officer's services, and he shall not have been provided with some other employment, then, with the sanction of the Local Government, a gratuity not exceeding his emoluments (as defined in Section 79 (*a*)), for the period by which the notice actually given to him falls short of three months, may be paid to him, in addition to the pension to which he may be entitled under Sections 68 and 76. But the responsible Officer will be

required to explain any neglect on his part which may give rise to expenditure for such a gratuity.

Selection for discharge.

3. Whenever, upon the reduction of an establishment, it is necessary to discharge one or more members thereof, the selection of the Officers to be discharged should, *primâ facie*, be so made that the least charge for Compensation Pension will be incurred.

Cannot refuse re-employment

4. An Officer discharged with a Compensation Pension may not, without surrendering his pension, refuse to accept any appointment which the Local Government thinks fit, within six months from the date of his discharge, to offer to him. The salary of such new appointment must not, however, be less than enough to raise his total receipts under the operation of Section 107 to the amount which he received as salary immediately before his discharge. Nor should the new appointment be such as the Officer cannot reasonably and equitably be expected to accept.

or transfer.

5. Rule 4 applies also to the case of an Officer entitled to Compensation Pension who, upon the abolition of his own appointment, is transferred by Competent Authority to another appointment. To such an Officer, a Compensation Pension may be simultaneously awarded, subject always to the limitation prescribed by Section 107.

Explanation.

6. The discharge of one Officer to make room for another better qualified, is not the abolition of an appointment within the meaning of this Section; the abolition must produce a real saving to Government. Particulars of the saving effected should be fully set forth in every application for Compensation Pension. The saving should always exceed the cost of the pension, otherwise it may perhaps be better to postpone the reduction of establishment or abolition of appointment.*

* The Governor General in Council desires that the attention of the several Departments of the Government of India, and of Local Governments, be drawn to the conditions prescribed in the Civil Pension Code for the admission of claims to Compensation Pension. Such pension is only granted to an Officer discharged from the Public Service when, *on a reduction of establishment*, his appointment is abolished. It is further prescribed that such abolition must produce a real saving to Government in respect of the cost of the appointment; and that the saving should always exceed the cost of the pension to be granted to the incumbent of the abolished appointment.

2. Notwithstanding these clear provisions in the Rules, applications are frequently made for the grant of pension to Officers discharged from the Public Service, though the discharge of the Officer does not result in any saving to the State. The consequence is, that the Governor General in Council is under the necessity of rejecting such applications, or to refer cases of more than ordinary hardship to the Secretary of State for special consideration.

3. It is not desirable that frequent relaxations of the Rules should be permitted. At the same time, it involves serious hardship if Officers are thrown out of employment when they have not failed in the discharge of their public duties, and are refused all compensation therefor.

4. The Governor General in Council, therefore, deems it necessary to remind all Departments, Local Governments, and Officers concerned, that, in any scheme for reorganising an establishment, the claims to pension that may arise in consequence of the reorganisation, should always be considered before a change is

CHAP. XI. Conditions of award of Pension.

Change in nature of duties.

7. If it becomes necessary to discharge an Officer in consequence of a change in the nature of the duties of his office, the case should be referred to the Government of India:

General reduction.

8. An appointment, the pay of which is reduced as part of a general scheme of revision, is abolished within the meaning of this Section. But, in such case, it may sometimes be cheaper to grant a Personal Allowance than a Pension.

Abolition of one of two appointments.

9. If, of two appointments held by one Officer, one is abolished and the other retained, the case should be specially submitted to the Government of India.

Graded Officers.

10. Deputy Collector, Munsif, or similar Officer who belongs to the Public Service apart from his particular local appointment, cannot obtain a Compensation Pension on the abolition of a particular appointment.

Discharge after completion of a specified term of service.

11. No pension is admissible to an Officer for the loss of an appointment on discharge after the completion of a specified term of service.

Local allowance.

12. No pension may be awarded for the loss of a Local Allowance.

Officer on leave out of India.

13. The abolition of the appointment of an Officer absent on leave out of India should be immediately communicated to the Secretary of State. (*See Rule 5 under Section 50, Civil Leave Code.*)

Transfer to an appointment of less value.

Section **60.**—If an Officer who is entitled to Compensation Pension accepts instead another appointment in the Public Service (whether qualifying or not), and subsequently becomes again entitled to receive a pension of any class, the amount of such pension shall not be less than he could have claimed if he had not accepted the appointment.

Invalid pension.

Section **61.**—AN INVALID PENSION is awarded, on

made, and, except in cases of very urgent necessity, no revision of establishment should be carried out which would have the effect of giving rise to claims to Compensation Pension the cost of which cannot be met out of savings effected by the revision. As stated in Rule 6 of Section 59 of the Civil Pension Code, if the saving does not exceed the cost of the pension, "it may be better to postpone the reduction of establishment or abolition of appointment."—*Circular by the Government of India, Financial Department, No. 1690, dated 22nd July 1878.*

4.—It is doubtless the duty of all Public Officers to take every suitable opportunity to introduce improvements in the Administration, and, as the Rules now stand, personal claims such as those of A. B. often impede administrative reforms otherwise desirable. But it is easy to see that, if the Government were prepared to compensate every one whom it is desired to supersede on such occasions, reforms might indeed proceed more rapidly, but that an indefinitely large expenditure for compensation pensions might ensue; and this the Government of India is not at present authorised to incur, or prepared to recommend to the Secretary of State.

5.—Local improvements must, therefore, be carried out with a due regard to these considerations; and it should be clearly understood that, if a public servant is discharged as, in the present instance, A. B. has been discharged, a remedy at the charge of the Public Revenues for the loss he sustains is not to be expected.—*Government of India, Financial Department, to Bombay, No. 2753, dated 6th September 1878.*

his retirement from the Public Service, to an Officer who by bodily or mental infirmity, is permanently incapacitated—

(a)—for the Public Service, or—

(b)—for the particular branch of it to which he belongs.

No claim on other grounds.

1. An Officer discharged on other grounds, has no claim under this Section, even although he can produce medical evidence of incapacity for service.

Medical certificate on first appointment.

2. To prevent undue liability for Invalid Pensions, no person may be appointed to a Superior Grade in the Public Service in India without a certificate in the annexed form, with any suitable modification, by a Commissioned Medical Officer, or by a Medical Officer in charge of a Civil Station or (in the case of a candidate for employment in a State Railway) of a State Railway. This certificate must be annexed to the first bill submitted for the pay of the Officer. A similar Rule is enforced by the Secretary of State in the case of persons selected by him for service in India.

CERTIFICATE.

I do hereby certify that I have examined A. B., a candidate for employment in the _____ Department, and cannot discover that he has any disease, constitutional affection, or bodily infirmity except _____. I do not consider this a disqualification for employment in the Office of _____. A. B.'s age is, according to his own statement, (*x*) years, and, by appearance, about (*y*) years.

[NOTE.—When an Officer is transferred from one Office to another, the duties of which are different in character, a Commissioned Medical Officer or a Medical Officer in charge of a Civil Station should report whether the defect, if one exists, will materially interfere with the discharge of his new duties by the Officer transferred.]

Exception

3. But if an Officer, who is appointed on a pay not exceeding fifty rupees a month, cannot conveniently appear before a Commissioned Medical Officer or a Medical Officer in charge of a Civil Station, the Local Government may accept a certificate in such form as it considers sufficient, from any other Officer, who need not even be a Medical Man.

Accountant General to report in certain cases.

4. Whenever it appears from the Certificate prescribed by Rule 2 that a person has been admitted to the Public Service when his age, according to his own statement or in the opinion of the examining Medical Officer, exceeded twenty-five years, the Accountant General should report the case for the orders of the Local Government, reminding it of the Resolution by the Government of India, No. 423, dated 20th January 1871, quoted as a foot-note to Section 70.

Promotion.

5. No Medical Certificate is necessary upon an Officer being promoted from Inferior to Superior Service.

Re-employment.

6. Rule 1 under Section 59 applies, *mutatis mutandis*, in the case of an Officer invalided under Clause (*b*), as unfit for employment only in some particular branch of the Public Service. Every effort should be made to find for such an Officer other employment suited to his particular capacity.

Medical certificate by whom attested.

Section **62.**—If the Officer applying for pension is sixty years old or upwards, no Certificate by a Medical Officer is necessary; it suffices for the Head of the office to certify to the incapacity of the applicant. Otherwise, incapacity for service must be established by a Medical Certificate attested as follows:—

(*a.*)—If the Officer submitting it is on leave in England;—by the Medical Board of the India Office.

(*b.*)—If he is serving at a Presidency town;—by the Surgeon General of the Indian Medical Department or by the Standing Medical Committee at the Presidency.

(*c.*)—If he is a Superior Officer and is serving in the interior of the country under such circumstances that, in the opinion of the Local Government, he can be conveniently required to appear before a Medical Invaliding Committee;—by such Committee.

(*d.*)—In other cases, the Local Government may either accept a Certificate given by a single Commissioned Medical Officer or Medical Officer in charge of a Civil Station, or assemble a special Invaliding Committee at a convenient Civil Station. If the pension applied for exceeds Rs. 100 a month, a Certificate by a single Medical Officer should not be accepted as sufficient, if it is possible, without undue inconvenience, to assemble an Invaliding Committee, or to cause the applicant to appear before the Surgeon General, Indian Medical Department, or the Standing Medical Committee at the Presidency.

Form of medical certificate.

Section **63.**—The Medical Certificate must be in the following form:—

CERTIFICATE.

Certified that I (we) have carefully examined A. B., son of C. D., a_____ in the_____

His age is, by his own statement, (*x*) years, and, by appearance, about (*y*) years. I (we) consider A. B. to be completely and permanently incapacitated for further service of any kind [or in the Department to which he belongs,] in consequence of (*here state disease or cause*). His incapacity does not appear to me (us) to have been caused by irregular or intemperate habits.

Section 63.

Page 35.

Insert the following as Note (3) *under this Section :—*

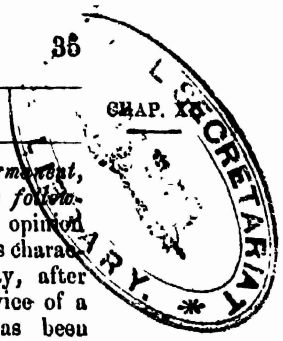
(3.) The object of the second alternative Certificate (of partial incapacity) is that an officer should, if possible, be employed even on lower pay, so that the expense of pensioning him may be avoided. If there be no means of employing him even on lower pay, then he may be admitted to pension; but it should be considered whether, in view of his capacity for partially earning a living, it is necessary to grant to him the full pension admissible under Rule. The principle of Rule 1 under Section 59 must always be carefully borne in mind. (9)

Section 65, *Rule* 1.

Page 35.

Erratum.

For "13" *read* "15." (14)



(If the incapacity does not appear to be complete and permanent, the certificate should be modified accordingly, and the following addition should be made.) I am (We are) of opinion that A. B. is fit for further service of a less laborious character than that which he has been doing, or may, after resting for (*z*) months, be fit for further service of a less laborious character than that which he has been doing.

[NOTES. (1).—A succinct statement of the medical case, and of the treatment adopted, should, if possible, be appended.

(2).—If the Examining Medical Officer, although unable to discover any specific disease in the Officer, considers him incapacitated for further service by general debility while still under the age of 55 years, he should give detailed reasons for his opinion, and, if possible, a second medical opinion should always, in such a case, be obtained. In a case of this kind, special explanation will be expected from the Head of the Office or Department of the grounds on which it is proposed to invalid the Officer.]

Pension awarded accordingly.

Section 64.—If the incapacity is the result of irregular or intemperate habits, no pension can be granted. Otherwise, it is for the Local Government to decide whether the Officer's incapacity is such as to render it necessary to admit him to Invalid Pension.

Discharge required on submission of medical certificate.

1. An Officer who has submitted a Medical Certificate of incapacity for further service must not (except for special reasons to be reported to the Local Government) be retained in active service pending a decision on his application for pension, nor can he obtain leave of absence. Without the further special sanction of the Local Government, service after the date of a Medical Certificate does not count for pension. The object of this Rule is to discourage tentative applications: but an Inferior Servant, or a Police Officer whose pay does not exceed twenty rupees, and who, in the opinion of the Head of his Office, is fit for light work, may be retained in employment till his pension is sanctioned, provided that his place is not filled up till he retires, and that his service counts only to the date of his Medical Certificate.

Excepted cases.

Superannuation pension.

Section 65.—A SUPERANNUATION PENSION is granted to an Officer entitled or compelled, by Rule, to retire at a particular age.

Premature retirement of efficient officers not to be enforced.

1. An Officer in a Superior Grade, who has attained to the age of fifty-five years, may be required to retire, unless the Local Government considers him efficient, and permits him to remain in the Service.* (*See Section 13 of the Civil Leave Code.*) But, as the

* A Covenanted Civilian or an Officer of the Army in Civil Employ is obliged to retire after a certain period of service unless it is injurious to the public interests that he should do so; but an Uncovenanted Officer in a Superior

premature retirement of an efficient Officer imposes a needless charge on the State, this Rule should be worked with discretion.*

[NOTE.—An Officer compelled to retire under this Rule, part of whose service has been Inferior, is entitled to pension on the Inferior Scale on the same conditions as if he had been invalided under Section 76.]

Excepted officers.

Exception.—The Officers named in Section 74 are exempted from the operation of this Rule.

Accountant General to report.

2. The Accountant General will inform the Local Government whenever any Officer attains the age of fifty-five years, in order that the Local Government, being apprised of the fact, may take such action as it sees fit for the retention or otherwise of the Officer in question.

Grade, who has attained the age of 55 years, may be required to retire unless the Local Government considers him efficient and permits him to remain in the service. There is thus a clear distinction between the two classes of Officers; for the former class is required, as a rule, to retire, while the latter is required, as a rule, to be retained, the result, in both cases alike, being decided by what is most expedient in the public interests.

2. The Government of India think it unnecessary to add to these Rules; but, in the case of Uncovenanted Officers holding appointments open to the Covenanted Service, the standard of efficiency by which the retention of such officers is to be decided may reasonably be raised above the standard required in lower appointments.—(*Home Department, to Bengal, No. 524, dated 31st March 1876.*)

3. As some misapprehension appears to exist on the subject of the Rule regarding the Compulsory Retirement of Uncovenanted Officers after the age of 55 years, His Honor the President in Council thinks it desirable to state that not only does Section 65 of the Civil Pension Code not require the compulsory retirement of any efficient officer of whatever age, but that, though the Section authorises the Local Authorities, at their discretion, to presume that an Officer is inefficient, at 55 years of age, conditionally, and at 60 years of age, absolutely, yet the whole tenor of the Rules is that such presumption shall be exercised with careful consideration both for the individual, who would suffer by being deprived of his appointment while capable of discharging its duties, and for the finances of the country, which would suffer were Officers still efficient prematurely thrown upon the Pension List.—(*Revenue Department, No. 31F., dated 3rd September 1877.*)

* "I trust that the various Governments and Administrations will always be disposed to extend to this Rule a very liberal interpretation, and that the State may, in no case, be deprived of the valuable experience of really efficient Native Officers by the untimely exercise of the powers of compulsory retirement on pension.—*Secretary of State, No. 87, dated 8th August 1872.*"†

† Rule I of Section 65 of the Civil Pension Code applies to all Uncovenanted Officers (in the Superior Grades) without reference to their nationality. If an Officer is efficient after attaining the age of fifty-five years, his retention in the service is not barred by the accident of his being of other than purely native birth, and, though the despatch of the Secretary of State in the foot-note to Rule I of Section 65 mentions *Native* Officers only, it has a much wider application, and should be held applicable to all Uncovenanted Officers in Superior Grades, whether Natives or Europeans, equally with the Rule quoted above.—(*Financial Department, to North-Western Provinces, No. 2759, dated 7th December* 1875.)

No. 64.

Section 65.

Page 37.

Insert the following Rule under this Section :—

8. On succession to the Colonel's Allowance, a Military Officer (not being a General Officer in Command of a Division or Brigade, or holding an appointment the tenure of which is limited to five years) must vacate any Civil or Military appointment which he then holds. But, with the sanction of the Secretary of State in Council, he is eligible to re-appointment or to employment in the same or any other appointment at the discretion of the Government of India (or, if he belongs to the Madras or Bombay Army, as the case may be, of Madras or Bombay) in the Military Department. (64)

3. If an Officer, whose age is less than sixty years, is required to retire under Rule 1, the Head of his office must certify in the Column for "Any other remarks," on the third page of the application for his pension, that the applicant is inefficient owing to age or infirmity. Certificate of inefficiency.

4. The Director General of the Post Office of India exercises the powers of a Local Government under these Rules over all Officers subordinate to him.

5. An Officer in Superior Service who has attained the age of fifty-five years may, at his option, retire from the Service on a Superannuation Pension. Optional retirement.

6. After the age of fifty-five years, no Military or Naval Officer shall be appointed to a new office in Civil employment, or shall be permitted to retain any such office which he has held for five years and upwards, except in special cases, which are to be referred for the decision of the Secretary of State.* Military or Naval Officer.

7. Rule 6 should be strictly enforced, unless the retirement of any Officer should be considered by the Government under which he is serving to be injurious to the public interest.—(*Secretary of State, No. 106, dated 30th August 1873.*)

Section **66.**—A RETIRING PENSION is granted to an Officer who voluntarily retires after completing the requisite period of service. Retiring Pension.

CHAPTER XII.

AMOUNT OF PENSION.

[NOTE.—For the definition of the words "Pay," "Emoluments," and Average Emoluments," as used in this Chapter, see Chapter XIII.]

Section **67.**—THE AMOUNT of Pension that may be granted is determined by length of service, as set forth in Sections 68, 69, 70, and 71. Explanation.

* I am directed to acknowledge your letter No. 3000-135, dated the 3rd August last, recommending, for the reasons explained, that Colonel A. B. may, instead of being called upon to retire absolutely on attaining the age of 55 years on the 21st January next, be permitted to take a year's Furlough from that date on the allowance which he would draw if he were retained in the Civil Department a year longer.

2. The proposed concession would require the sanction of the Right Honorable the Secretary of State, and as it is opposed to Rules prescribed and repeatedly affirmed by that Authority, the Governor General in Council regrets his inability to recommend it. Colonel A. B. should, therefore, retire from the Civil Department on attaining the age of 55 years.

3. In the case of Colonel C. D., cited as a precedent in your letter under acknowledgment, it was distinctly laid down that the indulgence conceded to him under certain special circumstances should not be allowed to form any sort of precedent, or to warrant any further departure from existing Rules. (*Government of India, in the Home Department, to the Chief Commissioner, Central Provinces, No. 689, dated 17th October 1876.*)

CHAP. XII.

Amount of Pension.

No option of gratuity.

1. An Officer entitled to Pension may not take a Gratuity instead of pension.

FOR SUPERIOR SERVICE.

Compensation and Invalid Pension.

Section **68.**—COMPENSATION AND INVALID PENSION may be granted for SUPERIOR QUALIFYING SERVICE as follows:—

(*a.*)—*After a service of less than fifteen years*:—

Gratuity.

A Gratuity, not exceeding (except in special cases, and under the orders of the Government of India) one month's Emoluments for each completed year of service or twelve months' Emoluments in all.

(*b.*)—*After a service of not less than fifteen years but less than twenty-five years*:—

Pension not exceeding one-third of average emoluments.

A Pension, not exceeding one third of Average Emoluments; and also, not exceeding Rs. 3,000 a year, or, if the Average Emoluments do not exceed Rs. 12,000 a year, Rs. 2,000 a year.

(*c*).—*After a service of not less than twenty-five years*:—

Pension not exceeding one-half of average moluments

A Pension, not exceeding one-half of Average Emoluments; and, also, not exceeding Rs. 5,000 a year, or, if the Average Emoluments do not exceed Rs. 12,000 a year, Rs. 4,000 a year.

[NOTE.—The Proviso under Section 70 applies to an Officer invalided on account of incapacity for further service, which incapacity is due to old age or natural decay from advancing years. In the case of an Officer whose Qualifying Service began after he attained the age of twenty-five years, the attention of the Examining Medical Officer should always be called to that Proviso, in order that he may adapt his Certificate accordingly.]

Graduated scale of pensions in certain cases.

Section **69.**—An INVALID PENSION on the following Scale, but not being less than Rs. 1,000 or more than Rs. 2,000 a year, may be granted to an Officer belonging to any of the Classes described in Schedule A, except Class III. The Government of India may, on special grounds, recommend for sanction by the Secretary of State the grant of an Invalid Pension on the same scale to an Officer belonging to Class III, provided that, if he was not appointed by the Secretary of State, he be not of purely Asiatic descent.

If the qualifying service of the Officer be not less than—	*Forty-fifth parts of the Officer's Average Emoluments.*
10 years	10
11 „	11
12 „	12
13 „	13
14 „	14

No. 74.

Section 68.

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Add the following to Clause (*a*) *after* "all":—

If the emoluments of the Officer have been reduced, during the last five years of his service, otherwise than as a penalty, Average Emoluments may, at the discretion of the Local Government, be substituted for Emoluments. (74)

Superannuation pension.

Section **70**.—The amount of SUPERANNUATION PENSION which may be granted for SUPERIOR QUALIFYING SERVICE is that which would be admissible as an Invalid Pension.

Proviso.—If an Officer's Qualifying Service began after the 20th January 1871, and after he attained the age of twenty-five years,* the pension admissible under this Section is to be multiplied by a fraction, the denominator of which is 30 or, for Officers entitled to the benefit of Section 73 (*a*),, 27, and the numerator the number of years' service completed, not exceeding 30. The limit of Rs. 2,000, Rs. 3,000, Rs. 4,000, or Rs. 5,000 is to be applied before, and not after, this multiplication.

Retiring pension.

Section **71**.—RETIRING PENSION may be granted for SUPERIOR QUALIFYING SERVICE as follows:—

After a service of not less than thirty years:—

The same in amount as an Invalid Pension admissible after twenty-five years' service.

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* The Governor General in Council observes that the admission into the service of Government of other than young men tends to throw upon the State an undue liability for pensions.

2. His Excellency in Council is accordingly pleased to declare that, as a general rule, no person should be admitted into the Uncovenanted Service of Government after he has attained the age of 25 years. But if, for special reasons, any one is, after this date, admitted at a later age, then, in the event of his being required to retire, under the operation of any Rule for the removal of Officers from the service as superannuated on their attaining a particular age, the pension to which he would, but for this Rule, be entitled shall be reduced in the proportion which the number of years of pensionable service which he has completed bears to 30 years, the full period required for a good service pension.—*Government of India, Financial Department, No. 423, dated 20th January 1871.*

I am directed to acknowledge the receipt of your letter No. 816, dated 13th June 1871, inquiring whether the Rule of 20th January 1871, prohibiting the employment in the Uncovenanted Civil Service of persons above the age of 25 years, except on special grounds, is to be applied to the case of persons who, having voluntarily resigned the service, seek to obtain re-admission.

2. In reply, I am desired to say that, so far as regards the re-admission of persons so situated, it is a question for the Officer appointing to determine, and, probably, previous service, if it proved the capacity of the person, might be a special reason for employment.

3. In the case of re-employment of such persons the Rule for the reduction of pension will apply.

4. In regard to this Rule, it should be remarked that it imposes no "specified disadvantage as regards pension," but only prevents the undue advantage which the persons to whom it applies would otherwise obtain by being permitted to earn a full pension by a service of less than 30 years.—*Government of India, Financial Department, to Government of Madras, No. 2065, dated 15th July 1871.*

The Governor General in Council desires to draw the attention of the Comptroller General, the Director General of the Post Office of India, the Mint

Extension of the maxima.

Section **72.**—In the following cases the several prescribed maximum limits of Rs. 2,000, Rs. 3,000, Rs. 4,000, and Rs. 5,000 a year may be relaxed:

(*a*)—For an Officer whose Average Emoluments exceed Rs. 10,000 a year, and who entered the Service before the 19th May 1855, or whose salary, before the 6th August 1862, exceeded Rs. 10,000 a year, the maximum pension is ordinarily Rs. 5,000 a year. But if the service of such an Officer has been *of extraordinary merit*, a pension exceeding Rs. 5,000 a year may be recommended for the sanction of the Secretary of State.

(*b*)—To an Officer who entered the Service before the 19th May 1855, but whose Average Emoluments do not exceed Rs. 10,000 a year, the Secretary of State, on the recommendation of the Government of India, sometimes grants a Special Pension in excess of the prescribed maximum, for *unusually meritorious services*.

(*c*)—For a Native Judge (*see Appendix B*) who was in the service on the 29th October 1866, the limit is ordinarily Rs. 5,000 a year.

(*d*)—These limits do not apply to a Covenanted Civil Engineer or Civil Officer of the Telegraph Department who executed his covenant before the 8th June 1863, and who has elected the Rules which were in force before that date—*Section 5* (*a*). There is no *maximum money* limit to the pension of such an Officer, whose covenant is dated before the 19th May 1855; if his covenant is dated after the 19th May 1855, the pension is limited to £400 a year, if his pay is not less than Rs. 700 and not more than Rs. 1,000; and to £500 a year, if his pay exceeds Rs. 1,000.

[NOTE.—The limits which may be relaxed under the foregoing Rules are the *maximum money limits*, and not the limits of one-third or one half Average Emoluments.*]

Masters, Calcutta and Bombay, the several Accountants General, and the several Deputy Accountants General in independent charge, to Resolution No. 423, dated 20th January 1871, by which the admission into the Uncovenanted Service of any person after the age of twenty-five years was discouraged.

There is reason to believe that sufficient attention is not paid to the Rule contained in this Resolution, and His Excellency in Council would remind Heads of Departments that men of advanced age ought never to be admitted to the Government service, except upon public grounds of a special character.—*Government of India, Financial Department, No. 1047, dated 5th June 1877.*

*3. You inquire whether it is open to your Government, under Section 72 of the Civil Pension Code, to recommend to the Home Government the grant of Special Pensions, not only in excess of the money limits prescribed by the Rules, but also in excess of the limits of one-third or one-half of average emoluments, as the case may be.

Section **73**.—In the following cases, certain privileges exist in respect of the length of service required for pension— Privileges in counting service.

(*a*)—To an Officer, not being a native of Asia, whose qualifying service began after twenty-five years of age, and whose whole service for which pension is claimed has been passed in one or other of the following offices, pension is admissible after three years' less service than is required from other Officers:—

Directors of Public Instruction. Educational Officers.
Inspectors of Schools.
Principals and Professors of Colleges.
Head-masters of Colleges and High Schools.
Barristers serving in Offices other than those mentioned in Section 74 to which the Local Government has, with the consent of the Government of India, declared it to be necessary to appoint Barristers. Barristers.

[NOTE.—The only office concerning which this declaration has been made is that of Deputy Superintendent and Remembrancer of Legal Affairs, Bengal.]

(*b*)—An Officer appointed before the 8th June 1863 may, at the discretion of the Local Government, be allowed to count service for Invalid Pension according to the Rules contained in Appendix B1; Provided that he has not at any time availed himself of any advantages under the Leave Rules which came into force on the Officers appointed before June 1863.

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4. The Pension Code published by you merely embodies existing Rules as to the grant of pensions, and interpretations thereof, and is intended for the guidance and information of your Officers; but it can scarcely be held to absolutely preclude your Government from making any special representation to the Secretary of State you may see fit in any particular case.

5. The inconvenience, however, of recommending Uncovenanted Servants for Special Pensions unauthorised by the Rules was pointed out in paragraphs 7 to 9 of the Financial Despatch, dated 30th September 1863, No. 174,† and I see no reason to modify the opinion therein expressed.

† 8. I take this opportunity of calling your attention to the practice of recommending Uncovenanted servants for Special Pensions. The Code of Rules which was published on the 4th of January 1831, prescribed that "the rates of pension shall be fixed on a graduated scale, within the prescribed limitations, with reference to the responsibility and arduousness of the employment, the degree of merit of the individual, and the nature and length of his service; and, in my Financial Despatch of the 8th of December 1862, No. 205, I observed (*paragraph* 9) that "pensions of the full amount stated are to be granted only as the reward of approved service." It appears, however, to be the custom of Heads of Departments in India to recommend, in nearly every case, the full amount of pension which the Rules permit; and, whenever the service rendered has been at all above the average character, a special pension is recommended in excess of that which the Rules authorise.

9. It cannot be too strongly insisted upon, and made known to the whole body of Uncovenanted Officers, that the full pension authorised under the Rules is not to be given as a matter of course, but only when the service performed has been really such as to merit the approval of Government, and this should be invariably kept in view in considering recommendations for pension. It is easy for your Government

8th June 1863. This proviso does not give an Officer the option of the Leave Rules which were in force before the 8th June 1863. Whatever leave he requires must be taken under the Rules in force when it is granted; but, if he desires to retain the benefit of counting service for pension in accordance with the Rules contained in Appendix B1, he must abstain from availing himself of so much of the advantages of the Rules under which leave is granted to him as may be in excess of what he could have claimed under the Rules in force before the 8th June 1863. The concession herein granted applies only to counting service for pension; the *amount* of the pension must be calculated in accordance with the Rules in this Chapter and Chapter XIII.

Example.—An Officer has served Government for twenty-one years, of which five years were passed before he was twenty-two years old, and two years were passed on leave on medical certificate under the Rules of 1856. His service, calculated under the Rules, is only fourteen years, the last being excluded by Sections 20 and 52, and he would not be entitled to pension under Section 68 (*b*); but, under the Rules in Appendix B1 the whole twenty-one years would count, and he would be entitled to pension under Section 68 (*b*), having completed the twenty years' service required by the Rules in Appendix BI.

Native Judges.

(*c*)—Native Judges who were serving as Judges on the 29th October 1866, and who were entitled to exceptional advantages under the Rules in Appendix B1, may count service for one-third and one-half pension in accordance with the Rules in Appendix B1.

Lucknow garrison.

(*d*)—Uncovenanted Officers who served in the Garrison of Lucknow during the Siege in 1857, count one year's additional service.

Civil Engineers.

(*e*)—The Government of India may, in special cases, add a period, not exceeding three years, to the service of any Civil Engineer appointed to the Public Works Department before the 1st November 1873, with initial rank higher than that of a First Grade Assistant Engineer.

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to keep within the limits which the Rules authorise; but there is a manifest inconvenience in the Home Government refusing to grant a special pension which may have been submitted to them with the weight which must always attach to a recommendation by your Government.—*Secretary of State, No. 174, dated 30th September 1863.*

2. I authorise you to grant Lieutenant A. B. the higher pension of a Deputy Commissary in lieu of that of an Assistant Commissary, to which only he is entitled under the Regulations. I desire, however, to express my general disinclination to increase the Non-effective Charges by the grant of any pensions in excess of what the Regulations of the Service provide, save in cases of very exceptional and distinguished service. Mere length of service, however faithfully performed, is not, I consider, in itself a sufficient ground for exceptional reward.—*Secretary of State, No. 92, dated 8th March 1877.*

This concession will not, however, be granted to any Officer taken over, directly or indirectly, from one of the Guaranteed Railway Companies, who received a bonus on leaving the service of the Company.

Barrister appointments.

Section 74.—To the following Officers, being Barristers and not being Covenanted Civil Servants, *viz.*,—

Judges of the Chief Court of the Punjab;
First Judges of Small Cause Courts of Presidency towns;
Recorder of Rangoon;
Secretary to the Government of India in the Legislative Department,

Special Pensions are admissible as follows:—

(*a*)—After not less than six years and nine months' Active Service in one or other of the Offices specified in this Section,—an Invalid Pension of £300 a year.

(*b*)—After not less than eight years and eight months' such service;—an Invalid Pension of £500 a year.

(*c*)—After not less than eleven years and six months' such service,—a Retiring Pension of £750 a year.

1. Active Service here includes, besides time spent on duty whether in substantive or acting service, Privilege Leave, Subsidiary Leave, and periods of vacation during which the Officer is not on Furlough or Extraordinary Leave.

2. Except as provided by this Section, these Officers come under the ordinary Rules.

Dockyard and Military Artificers.

Section 75.—The Local Government may grant to a Dockyard or Military Artificer whose Qualifying Service, excluding interruptions of and absence from duty of *every* kind, amounts to not less than twenty-five years, a Compensation or Invalid Pension not exceeding three-fourths of the pension to which he would be entitled if his service on pay exceeding ten rupees were reckoned as Superior.

FOR INFERIOR SERVICE.

For inferior service.

Section 76.—For Inferior Qualifying Service, Pension may be granted as follows:—

Compensation and Invalid Gratuity.

(*a*)—Compensation and Invalid Gratuity:

after a service of less than 5 years,									—*Nil.*		
not less than	5	years	but less than	10	years,	—3	months'	pay.			
„ „	10	„	„	15	„	—4	„	„			
„ „	15	„	„	20	„	—5	„	„			
„ „	20	„				—6	„	„			

Compensation and Invalid PENSION.

(*b*)—Compensation and Invalid PENSION:

After a service of not less than 30 years,—Half-pay not exceeding four rupees a month.

Exceeding half-pay.

1. In special cases the Government of India grants more than half-pay, but never more than four rupees a month.

Service before the age of sixteen.

2. Service rendered before the age of sixteen years does not count.

In Mysore.

3. For Inferior Service in Mysore, no PENSIONS are given. But Compensation and Invalid GRATUITIES may be granted at the rate of one month's pay for each year of service (without limit as to the number of years service), the pay to be taken at the average of the last three years. Inferior Servants on the Sowar establishment and on the establishments attached to the Barr Infantry come under this Rule.

[NOTE.—Rule 5 under Section 105 does not affect claims to Gratuity under this Rule.]

Servants of the Mysore Palace establishment.

4. To servants of the Mysore Palace establishment, Pensions may be granted at the rates prescribed in this Section; and the Chief Commissioner may grant Compassionate Allowances to helpless old servants not entitled to regular pensions. A portion, not exceeding half, of the pensions of these servants, may be continued to their widows, if they have no other means of subsistence, and if no arrangement can be made to employ any member of the family.

Premature invaliding discouraged.

5. An Officer should not, without urgent necessity, be invalided when he has nearly completed 30 years' service: the Government cannot undertake to overlook a deficiency of service resulting from an Officer being prematurely invalided. The principle of this Rule applies to all analogous cases.

FOR QUALIFYING SERVICE PARTLY INFERIOR AND PARTLY SUPERIOR.

Service partly inferior and partly superior.

Section **77**.—An Officer whose service has been for some time Inferior and for some time Superior, may either count the whole as Inferior towards pension on the Inferior Scale, or the Superior portion only towards pension on the Superior Scale. (*See Note under Section 65, Rule 1, page 36*). A Gratuity on the Superior Scale under this Section is calculated upon the Emoluments which the Officer drew when last in Superior Service. A Gratuity on the Inferior Scale is calculated upon the pay (whether on the Superior or Inferior Scale) which he drew immediately before his retirement. If an Officer has been reduced from the Superior to the Inferior Class

for misconduct, he cannot have the benefit of this Section without the special permission of the Local Government.

Section **78.**—The claims of an Officer promoted from an Inferior to a Superior Grade as a reward for meritorious service, will be specially considered by the Government of India. Promotion from inferior to superior grade.

1. This Rule is to be strictly interpreted, and a claim under it can be founded only on exceptional promotion, made out of the ordinary course.

CHAPTER XIII.

CALCULATION OF PENSION.

Section **79.** (*a*)—Unless there be something repugnant in the subject or context, the words "Pay" and "Emoluments" used in CHAPTER XII mean the pay and emoluments which the Officer was receiving immediately before his retirement. Meaning of "pay" and "emoluments."

(*b*)—"Average Emoluments" means the average calculated upon the last five years of service. and of "average emoluments."

1. In the case of an Officer claiming the benefit of Section 51, Rule 1, "Average Emoluments" means the average calculated for the whole of the service necessary to qualify for the pension granted, excluding any excess service rendered before the commencement of the necessary period; and a Gratuity is to be calculated on "Average Emoluments" (as defined in this Section) instead of on "Emoluments." Mysore.

2. If, during the last five years of his service, an Officer has been absent from duty on Leave With Allowances, or, having been suspended, has been, under Section 54, reinstated without forfeiture of service, his Emoluments, for the purpose of ascertaining the Average, should be taken at what they would have been had he not been absent from duty or suspended: Provided always that his pension must not be increased on account of ~~increments~~ in pay not actually drawn. But if his leave is reckoned as service under Section 52, Rule 2, only the allowances actually received during the Leave should be taken into account. Periods of leave *with* allowance.

3. If, during the last five years of his service, an Officer has been absent from duty on Leave Without Allowances, or in Inferior Service, or suspended under such circumstances that the period of Leave *without* allowances.

suspension does not count as service, the periods so passed should be disregarded in the calculation of the Average, an equal period before the five years being included.

Emoluments actually received to be reckoned.

4. Excepting as provided in Rules 2 and 3, only emoluments actually received can be included in the calculation. For example, when an Officer is allowed to count time retrospectively towards increase of pay, but does not receive retrospectively the intermediate periodical increments, these intermediate increments are not reckoned in the calculation.

Holding more than one appointment.

5. If an Officer has held more than one appointment, in respect of each of which, if he had held it separately and alone, pension would have been admissible to him, the pension admissible to him is the sum of the several pensions which would have been admissible to him if he had held each office separately and alone. The consolidated pension thus admissible is subject to the limitations prescribed in Section 68 (*b*) and (*c*).

Service in conjoint offices.

6. An Officer is not entitled, for service in an office conjointly with another office, to any pension which would not have been admissible to him if he had held the office separately and alone.

Definition of "emoluments."

Section 80.—(*a*)—In the term "Emoluments" are included the following :—

(1)—Pay ; (2)—Personal Allowance ; (3)—Fees or Commission, if they are the authorised emoluments of an appointment, and are *in addition* to Pay, and Commission in the case of a Thoogyee; (4)—Field Allowances (*i. e.*, Horse and Tent Allowances) of any Officer of the Survey Department in the Bengal Presidency who retires from the Service on or before the 1st September 1882 ; (5)—Charge Allowance to Signallers in the Telegraph Department ; (6)—Bullock Train and Punjab Military Horse Van Dâk Allowances in the Post Office Department.

(*b*)—Other Allowances are excluded, such as—

(1)—Local Allowances including allowances given for duties performed in addition to the work of a regular appointment ; (2)—Messing Allowances, Working Allowances, and Provision Allowances to Officers in the Marine Department ; (3)—Field Allowances (*i. e.*, Horse and Tent Allowances) of Officers of the Survey Department, excepting Officers in Bengal who retire before 1st September 1882 ; (4)—House-rent Allowance, or estimated value of free quarters ; (5)—Tour and other Allowances (to Officers who accompany the Viceroy or any Government) ; (6)—Compensation for dearness of provisions.

(*c*)—Acting Allowances and allowances drawn by an officer appointed substantively *pro tempore* may not be included, unless the *pro tempore* or acting service counts under Section 13 or Section 27, Rule 2, as the case may be. Acting allowances.

1. When an Officer in permanent employment is deputed on Temporary Duty, he cannot count his additional deputation allowances.—(*Section 28.*) Deputation allowances.

2. But this Rule does not apply to an Officer deputed temporarily to service in the Income Tax Department, or to an Officer deputed, on abolition of his appointment, to special duty (*Section 29*), or to an Officer who, when his appointment was abolished, was on special duty. In these cases the full allowances are counted. Exception.

3. If an Officer who is temporarily transferred to Foreign Service, does not pay any contribution under Chapter VII, he cannot count, for the time passed in such service, higher pay than he had when he was transferred to it. Foreign service.

4. In the case of Section-writers and Press-servants whose service qualifies under Section 30, "Pay" and "Emoluments" mean the average earnings of the last six months of service. In a calculation for a Gratuity on the Superior Scale, this means the average of the last six monthly bills exceeding ten rupees. "Average Emoluments" means the average of the last seventy-two monthly bills exceeding ten rupees. Section-writers and Press-servants.

5. In cases falling under Clause (*a*) (3) of this Section, "Emoluments" means the average earnings of the last six months of service.

Section **81**.—Any part of an Officer's pay or emoluments which is specifically intended to provide for expenses incidental to his duty, must be excluded. Net emoluments only to be taken.

Examples.—(1). When an Officer's pay is intended partly to cover the expense of his providing or keeping a horse, his pay must be taken only at what it would be if it was not intended to cover such expense. When a water-carrier's pay includes provision for a bullock, his pay must be taken at what it would be if he were not required to keep a bullock.

(2). When a consolidated pay specifically includes Tentage, Travelling Allowance, or House Allowance, these must be deducted.

(3). The Commission paid to a Thoogyee in British Burma goes in part to pay expenses incident to his office. In calculating Emoluments, or Average Emoluments, for pension purposes, 2½ per cent. on a Thoogyee's Commission, if the Average Commission of the last five years of his service exceeds Rs. 600 a year, is deducted, as representing the expenses of his office; and pension is computed Thoogyee's emoluments.

upon the remainder. No deduction is made if the Average Commission of a Thoogyee for the last five years of service does not exceed Rs. 600 a year; in such cases the pension is computed upon the total amount of such Average Commission.

(4). When an Officer's pay is fixed at two rates, a smaller rate during stationary duty, and a higher rate during periods passed on tour or travelling, the former rate alone should be the basis of the calculation.

CHAPTER XIV.

APPLICATIONS FOR PENSION.

Service-books to be kept.

Section **82.**—Every NON-GAZETTED Officer holding a substantive appointment on a permanent establishment, except a Police Officer whose pay does not exceed Rs. 20 and an Officer in the Post Office Department or the Inland Customs Department whose pay does not exceed Rs. 10, is required to keep a Service-book, in which every step in his official life should be recorded, each entry being contemporaneously attested by the Head of his Office. For Officers of the Inland Customs Department, whose pay does not exceed Rs. 10, a Roll must be kept, such as is prescribed in Section 125 (*a*) for the Police.

If the Officer is himself the Head of an Office (*e. g.*, a Deputy Post Master or a Sub-inspector of Police), the contemporaneous attestation should be made by his immediate Superior.

1. The opening page should be divided for entries in the following form:—

(1)—Name. (2)—Race. (3)—Residence. (4)—Father's Name and Residence. (5)—Date of birth by Christian era as nearly as can be ascertained. (6)—Exact height by measurement. (7)—Personal marks for identification. (8)—Signature of Officer. (9)—Signature and designation of the Head of the Office or other Attesting Officer.

The entries in this page should be renewed or re-attested at least every five years.

2. The remaining pages should be divided for entries in the following form: —

(1)—Name of Appointment. (2)—Whether substantive or acting, and whether permanent or temporary. (3)—If acting, here

Section 82.

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Strike out the word "or" *in line* 4.

After "Department" *in line* 5 *insert the words* "or the Salt and Customs Department in the Bombay Presidency."

After "Department" *in line* 10 *insert* "and the Salt and Customs Department in the Bombay Presidency."

(4 A.G.)

state the substantive appointment. (4)—Pay. (5)—Acting allowance. (6)—Date of appointment. (7)—Signature of Officer. (8)—Reference to any recorded punishment or censure, or reward or praise, of the Officer. (9)—Signature and designation of Head of the Office or other attesting Officer. (10)—Date of termination of appointment. (11)—Reason of termination (such as Promotion, Transfer, Dismissal, &c.) (12)—Signature of Head of the Office or other Attesting Officer.

3. Leave of every description (except casual), every period of suspension from employment, and every other interruption in service, should be noted, with full detail of its duration, by an entry written across the page, and attested by the Head of the Office or other Attesting Officer.

4. No uniform rule can be laid down regarding the language in which Service-books should be written. But in an office the Head of which is acquainted with English, that language should, as far as is convenient, be employed. All the Headings in the Service-books, without exception, should be printed in both English and the Vernacular.

5. A Service-book is supplied, at his own cost, to every Officer on his first appointment.

6. The Service-book of an Officer is to be kept in the Office in which he is serving, and transferred with him from Office to Office. It may be given up to the Officer if he resigns or is discharged without fault, an entry being first made therein to this effect.

7. It is the duty of every Officer to see that his own Service-book is properly kept up, and that all erasures in it are properly attested. If the book is not carefully kept up, difficulties may arise as to verification of service, when the Officer applies for pension.

8. Personal Certificates of character, containing only the opinions of the writer, are not to be entered in Column 8.

9. If the Officer is transferred to Foreign Service under the Rules in Chapter VII, he must send his Service-book to the Accountant General, who will note therein, under his signature, the orders of Government sanctioning his transfer to Foreign Service, the effect of the transfer in regard to leave admissible during his Foreign Service, and any other particulars which the Accountant General may consider to be necessary in connection with the transfer. If the Officer is re-transferred to the British Service he should again submit his Service-book to the Accountant General, who will then note therein, under his signature, all necessary particulars connected with the Officer's Foreign Service. Foreign Service.

Section **83**.—An Applicant for pension not being a Gazetted Officer, should submit to the Authority whose duty it would be to fill up his appointment, if vacant, Application for pension from non-gazetted officers.

his Service-book, and a statement of the following particulars:

(*a*).—The date by the Christian era on which the Applicant was born. (*b*).—List of appointments, substantive and acting, held during the service for which pension is claimed, showing, when any appointment was only an acting one, what substantive appointment was held at the same time. The dates of the beginning and ending of each appointment should be stated, and the pay and acting allowance drawn in each. (*c*)—Dates of beginning and ending of each period of Leave. (*d*)—An explanation of each interruption in service.

Application may be submitted before discharge.

1. An Officer may submit his application for pension, even though he has not ceased to be borne on the establishment, if the application is supported by a certificate from the Authority whose duty it would be to fill up his appointment, if vacant, that the Officer is likely, within six months, to retire from the Public Service. The certificate is to be forwarded to the Account Department, which Department is required then to verify the services in accordance with the Rules under Section 84. This provision is intended to obviate delay in the verification of service; and it is not to be understood as justifying the preparation of the regular application in Form A, prescribed in Section 85, before the Officer has actually retired.

Verification of service.

Section **84.**—The Authority receiving the application should then, in communication with the Account Department, verify the services claimed.

1. If the service has been wholly or in part Inferior (regarding which service the records of the Account Officers are sometimes incomplete), he should first gather from official records and other sources all the information procurable. In respect to Superior Service, it will be sufficient to gather, in the first place, only such information as is easily procurable.

2. The information thus received should then be forwarded to the Account Officer concerned, for information as to whether his Office records bear out the applicant's statements, as follows:—

For service in an ordinary civil establishment—the Accountant-General;
" " the Public Works Dept.—the Examiner of P. W. Accounts;
" " the Post Office Dept.—the Compiler of Post Office Accounts;
" " the Telegraph Dept.—the Examiner of Telegraph Accounts;
" " the Mily. and Marine Depts.—the Contr. of Mily. Accounts;
" " the Forest Dept.—In Madras and Bombay,—the Accountant-General: elsewhere,—the Comptroller General.

No. 124.

C. P. C.

Section 83.

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Add the following Rule under this Section :—

2. There is no limitation on the period after retirement, within which an application for pension or gratuity must be submitted.

3. If there be any discrepancy, the Account Officer will detail the nature of such discrepancy; for instance, that the post which the Applicant states that he filled during a certain period is shown, by the Account Officer's registers, to have been filled by another man.

4. If the service claimed cannot be wholly verified from the records of the Account Offices, reference must be made to the Head of the Office in which the Applicant states that he served during the period in doubt. *

Affidavit.

5. If it be found impossible to verify the service otherwise, the Officer receiving the application should take the affidavit of the Applicant on plain paper (*See Indian Stamp Act*, I of 1879, Schedule II, No. 1 (*c*)) and should also collect such collateral evidence as may be procurable: for instance, certificates,* such as those given by an Officer to a Subordinate on his leaving an office, and the testimony of contemporary servants.

6. The service will be admitted or rejected upon a consideration of the whole evidence thus afforded.

Form of application.

Section **85.**—After completing the verification in the manner prescribed in Section 84, the Authority receiving the application should draw up the application in Form A, Appendix A and arrange with it all the documents relied upon for verification of the service claimed, in such manner that they can be conveniently consulted, and then forward it, together with the Officer's Service-book, through his Official Superiors, to the Local Government.

Certificate of character or conduct.

1. He should certify, on the application, whether the character, conduct, and past services of the Applicant are such as to entitle him to the favorable consideration of the Government. If the application is for pension on the Superior Scale, he must be careful to enter all periods of Leave, Suspension, &c., which are not reckoned as service.

Leave and suspension.

Medical certificate.

2. If the application is for an Invalid Pension, and the applicant is less than sixty years old, the requisite Medical Certificate should be attached to the application. But if omission

* The Governor-General in Council has recently had under consideration a case in which a Public Officer, the Head of a Department, in granting a Certificate to one of his subordinates, suppressed the true reason for which the Subordinate had been removed from his appointment. Such an omission may obviously be injurious to the interests of the Public Service. I am therefore directed to draw attention to the subject, and to request the issue of orders to all Public Officers, warning them to be careful, in giving certificates to their subordinates, to state the whole truth in respect of character and cause of dismissal or resignation of appointment.—*Circular, Home Department, dated 15th June 1869.*

has been made in this respect, the Local Government may accept a certificate bearing a later date.

Gazetted officers.

Section **86.**—A GAZETTED OFFICER should submit his application, through his Official Superiors, to the Local Government. The application should be prepared in the Form prescribed in Section 85, either by the Officer himself or by the Head of the Department in which he is serving; and the Rules under that Section apply, save that it is not necessary to have the service formally verified before forwarding the application.

Accountant General's report.

Section **87.**—The last Officer through whom the application passes should send it to the chief Provincial Account Officer of the Department, who will (after verifying the service in the manner prescribed in Section 84) submit the application to the Local Government with a report upon the claim for pension and the Rules applicable to the case. He will also certify the correctness of the calculations of service, and of pension.

1. If the case is plainly incorrect or incomplete, the Account Officer should return it for correction or explanation.

2. In the Post Office Department, the application should go to the Compiler who will forward it to the Director-General.

3. In the Column of Form A reserved on the second page for the remarks of the Account Officer, he should note briefly his reasons for disallowing any service claimed, and his explanation of any apparent discrepancies and the like. This Rule applies to the case of both Gazetted and Non-Gazetted Officers.

4. Each Accountant General shall submit, quarterly, to the Government of India in the Financial Department, a Statement as follows:—

(1)—Number of applications received under this Section.
(2)—Number of applications disposed of within one month from the receipt of each.
(3)—Particulars of each case not disposed of within two months from the date of its receipt, with explanation of the delay.

CHAPTER XV.

POWERS OF THE LOCAL GOVERNMENT AND OF THE GOVERNMENT OF INDIA.

Power to grant pensions.

Section **88.**—In a case falling clearly and strictly within the letter of the Rules, the Local Government

No. 82.

Section 89

Page 53.

After "Department" *in line 5, substitute*—

of Finance, which will, if necessary, consult any other Department concerned. Until the orders of the Government of India are received, a recommendation for any special indulgence should never be communicated, directly or indirectly, to the Officer concerned. (82)

may grant the pension admissible: but, whenever such a grant is communicated to an Officer, he should be at the same time informed that the grant is subject to revision by the Government of India in the Financial Department, and that should the amount granted be found to be in excess of that to which the Government of India in the Financial Department considers him entitled under the Rules, he will be called upon to refund such excess.

Special pension

Section **89**.—If any interpretation of the Rules is involved, or if any indulgence not provided for by the Rules is proposed, the Local Government should submit the case, with its opinion and recommendation,* to the Government of India in the Department in which the Officer has served, which (if not the Financial Department) will pass on the recommendation for orders in the Financial Department, making no remarks unless it does not endorse the recommendation. If the recommendation is made on behalf of an Officer serving under the Government of India, and not under a Local Government, the Department receiving it should pass it on (with its own opinion if it does not endorse the recommendation) for orders in the Financial Department. Until the orders of the Government of India in the Financial Department are received, a recommendation of this nature should never be communicated, directly or indirectly, to the Officer concerned.

1. The Governments of Madras and Bombay should, upon questions of pension, communicate with the Secretary of State, through the Supreme Government, and not directly.

2. An application in Form A or D, Appendix A, as the case may be, should accompany every special recommendation made under this Section.

Quarterly statements.

Section **90**.—Returns (in Form C, Appendix A) of pensions granted during the Quarter, should be submitted by the Local Governments to the Supreme Government as soon as possible after the end of each

* In respect to such recommendations, see foot-note on pages 40 to 42.

Quarter of the financial year. These Returns should include all civil pensions granted during the Quarter, under, or with reference to, any Rule of this Code, in whatever Department, by the Government of India or the Secretary of State, as well as by the Local Government, or by the Inspector General of Police, care being taken, however, to enter each pension once only.

Secretary of State.

Section **91**.—Pensions in excess of the amounts admissible under Rule, or involving any relaxation of Rule, require the sanction of the Secretary of State.*

1. When special circumstances appear to justify a departure from the Rules laid down regarding pensions to Uncovenanted Officers, it is generally desirable that the allowance granted should be an arbitrarily fixed sum rather than any exact proportion of the amount to which it might be supposed that the Rules afford a claim.

Premature applications.

Section **92**.—The Government of India is ordinarily unwilling to pass orders on questions affecting the pension of an Officer until he actually retires. Memorials which relate to such questions addressed prematurely to the Secretary of State, are uniformly returned.

1. This Section does not prohibit the submission of a preliminary application for pension on behalf of an Officer intending to retire immediately, while he is still in employ.—(*See Rule 1 under Section 83.*)

Special anticipatory pension.

2. When the services of an Officer are dispensed with ~~on the abolition of his office~~, before the necessary enquiries preliminary to the settlement of the pension to which he is entitled can be completed, the Accountant General may sanction the immediate disbursement of the pension to which, after the most careful summary investigation that he can make without delay, he believes the Officer likely to be entitled. If the Accountant General thinks it likely that the Officer would be found entitled to a Gratuity only, one-sixth of the amount of such probable gratuity may be disbursed to him monthly until the amount is finally settled. The settlement of such provisional payments should be made so as to admit of their disbursement not later than one month after the Officer has ceased to hold the abolished post.

Subsequent adjustment.

3. If, upon the completion of the regular investigation, it be found that the pension thus summarily assigned differs from the pension finally settled, the difference must be adjusted in the first

* See foot-note on pages 40 to 42.

subsequent payments. Provided that, if a gratuity summarily assigned under this Rule proves to be larger than the amount found actually due upon completion of the enquiries, the Officer shall not be required to refund any excess actually paid to him, except as provided in Chapter XX. To enable the Accountant General to exercise the jurisdiction thus entrusted to him, the Head of the Office from which the Officer is removed should furnish to the Accountant General, as early as possible, immediately that it becomes known to him that the Officer must retire, and without waiting for his actual retirement, the fullest information that can be obtained regarding the Officer's service, without correspondence, which must cause delay. This information is to be furnished in anticipation of the regular investigation required by Section 84, which also should on no account be delayed.

4. All Officers should bear in mind that delay in the payment of pensions may involve peculiar hardship, and everything should be done to prevent or shorten to the utmost such delays.

CHAPTER XVI.

MANNER OF PAYMENT.

Sanction of pension.

Section **93.**—The order granting a pension to be paid in India should be forwarded, with a copy of the first page of the formal Application, to the Accountant General of the Province in which payment is to be made.

Permanent pay order.

Section **94.**—The Accountant-General will then communicate to the Officer who is to pay the pension authority to make the payment: in the case of a pension, such authority will be a Permanent Pay Order in Form B, Appendix A.

1. The Disbursing Officer will deliver one-half of the Order to the Pensioner, and keep the other half carefully, in such manner that the Pensioner shall not have access thereto.

2. Each payment made is to be entered on the reverse both of the Pensioner's half and of the Disbursing Officer's half of the Order, both entries being attested at the time of payment by the signature of the Disbursing Officer. When the reverse of a Permanent Pay Order is filled up, or when the Pensioner's half is found to be worn or torn, both halves should be returned to the Accountant General for renewal.

3. If a Pensioner loses his half of the Permanent Pay Order, the Disbursing Officer's half should be returned to the Accountant General, in order that he may issue a new Order. The observance of Rule 2 will prevent any payment being made on the half alleged to be lost.

Section **95**.—A pension is payable in India monthly on the first day of the following month.

1. Apart from special orders, a pension, other than an Extraordinary Pension under CHAPTER XXII, is payable from the date on which the Pensioner ceased to be borne on the establishment, or from the date of his application, whichever is later. The object of this latter alternative is to prevent unnecessary delay in the submission of applications. The Rule may be relaxed, in this particular, by the Local Government when the delay is sufficiently explained.

2. Rule 1 applies to ordinary not to special cases. If, under special circumstances, a pension is granted long after an Officer has retired, retrospective effect should not be given to it without the special orders of the Government which granted it; in the absence of which special orders such a pension will take effect only from the date of sanction.

3. With reference to Section 102, a pension should under no circumstances be paid for the first time in arrears for more than six months, without the special orders of the Local Government.

4. A pension is payable for the day on which the Pensioner dies.

Payment quarterly at Home treasury.

5. At the Home treasury pensions are paid quarterly.

Personal appearance at time of payment.

Section **96** (*a*).—Unless specially exempted by the Local Government, a pensioner must take payment in person, after identification, by comparison with the Permanent Pay Order.

Exemptions.

(*b*)—A female Pensioner who is not accustomed to appear in public, or a male Pensioner who is unable to appear in consequence of bodily illness or infirmity, or is exempted from personal appearance by the Local Government, may receive his or her pension upon the production of a Life Certificate signed by a responsible Officer of Government, or by some other well-known and trustworthy person. In such cases, the Disbursing Officer must take precautions to prevent imposition, and must, before the first payment in each year, require

C. P. C.

Section 96 (a)

Page 56.

Substitute—

Section 96 (a).—Unless specially exempted by the Local Government, or except upon the production of a Life Certificate signed by some person exercising the powers of a Magistrate of any class under the Criminal Procedure Code, or by any Registrar or Sub-Registrar under the Registration Act, or by any pensioned officer who, before retirement, exercised the powers of a Magistrate, a pensioner must take payment in person, after identification, by comparison with the Permanent Pay Order. (127)

proof not only of the existence of the Pensioner, but also, if the Pensioner is a male and has not been exempted from personal appearance by the Local Government, of his inability to attend in person to receive payment.

1. The Disbursing Officer is personally responsible for any payment wrongly made. In case of doubt he should consult the Accountant General.

2. A Pensioner of rank may be privately identified by the Disbursing Officer and need not be required to appear at a public Office.

Certificate of non-employment.

Section **97.**—A Pensioner drawing pension in India, is required to append to his bills a Certificate as follows:—

"*I declare that I have not received any remuneration for serving Government in any capacity during the period for which the amount of pension claimed in this bill is due.*"

1. In the case of a Pensioner permitted under Chapter XX to draw pension after re-employment, this Certificate should be modified according to the facts.

Annual return.

Section **98.**—An Annual Return* of Pensioners in Form E, Appendix A, should be sent to the Accountant General from every Office whence pensions are disbursed. The Accountant General will submit to the Government of India a Consolidated Abstract of these Returns in the same form; and also a Statement in Form F, Appendix A, comparing the actual rates of mortality with the probable rates calculated for Native Army Pensioners according to the table at foot of the Statement.

1. The Return should include pensioners to whom pensions have been granted otherwise than under the Rules in this Code.

2. The Local Government should instruct the Police or some other suitable Subordinate Agency to report promptly to the District Officer the death of any civil Pensioner; and District Officers should enquire immediately into the cause of the non-appearance of any Pensioner to draw his pension.

* *See* Appendix C, extract 3.

CHAPTER XVII.

PLACE OF PAYMENT.

Payable at any Treasury.

Section **99**.—A pension is payable as follows:—

I.—If it is stated in Rupees—

(*a*)—At any treasury of the Government of India in India; or

(*b*)—If the Pensioner is resident elsewhere than in Asia, at his option, at the Home Treasury of the Government of India, at the rate of exchange fixed yearly for the adjustment of financial transactions between the Imperial and Indian Governments.

II.—If it is stated in Sterling—

(*a*)—At the Home Treasury of the Government of India; or

(*b*)—If the Pensioner is resident in Asia, at his option, at any treasury of the Government of India in India, at the rate of exchange fixed yearly for the adjustment of financial transactions between the Imperial and Indian Governments.

Covenanted rate of exchange.

1. The Rule for the payment at the Home Treasury of a pension at the rate of exchange fixed yearly for the adjustment of financial transactions between the Imperial and Indian Governments applies to an Officer under covenant, who is entitled by his covenant to pension in accordance with the Rules applicable to Uncovenanted Officers; the covenanted rate of exchange for his pay and allowances does not, unless it is expressly so stated, apply to his pension.

Transfer between England and India.

Section **100**.—Transfer of pension from the Home Treasury to an Indian treasury, or *vice versâ*, is permitted only once.

1. An application for transfer of payment from India to the Home Treasury should be made to the Accountant General within whose jurisdiction the treasury of payment is. If the transfer is admissible, he will grant a Last-pay Certificate, forwarding a duplicate,* with copy of the first page of the Application upon which the pension was originally granted, to the Comptroller General (or, in Bombay and Madras, to the Local Government) for transmission

* See second paragraph of Case 1 on page 168.

Section 99.

Page 58.

Insert the following as Rule 2 *under this Section :—*

2. A Pensioner not resident in India may draw his pension at any treasury in India through a duly authorised Agent, who must either produce a certificate by a Magistrate, a Notary, a Banker, or a Minister of Religion, on each occasion, that the Pensioner was alive on the date to which his pension is claimed, or execute a bond to refund overpayments, and produce such a certificate as aforesaid at least once a year. The pension of such an officer should not be paid on account of more than a year after the date of the Life Certificate last received, and the Accountant General should be on the watch for authentic information of the decease of any such Pensioner, and, on receipt thereof, should promptly forbid further payments. (56)

Section 100.

Page 59.

Insert the following Rule under this Section :—

8. Intimation of any revision of a Pension paid at the Home Treasury should be made to the Secretary of State, so as to reach him before the Pensioner is informed. [32]

to England; if the transfer is not admissible, he will take the orders of the Government of India in the Financial Department.

2. If the pension is not wholly chargeable against the General Revenues, care must be taken to state in the Certificate how it is to be charged.

Transfer in India.

Section **101.**—A Local Government or an Accountant General may, on application and on sufficient cause shown, permit transfer of payment from one treasury in India to another. This jurisdiction may be delegated by the Local Government to Commissioners of Divisions, or to any higher Executive Authority.

1. Copy of any order issued by a Local Government or other Executive Authority under this Section should be forwarded to the Provincial Accountant General; and the Collector of the District from which the payment is to be transferred, should be instructed to return his half of the Permanent Pay Order. The Accountant General will then issue a new Order to the Officer who will in future pay the pension, or, if the Officer belongs to another Province, will move the Accountant General of his Province to do so.

2. A District Officer may authorise payment in any of the outlying treasuries subordinate to his District Treasury, of a pension payable, under proper authority, at his Head-quarters, and may transfer the payment of a pension from such Subordinate Treasury to the District Treasury, or from one Subordinate Treasury to another in the same District.

CHAPTER XVIII.

LAPSE AND FORFEITURE OF PENSIONS.

Through falling in arrears.

Section **102.**—If a pension payable in India remains undrawn for more than six months, the Permanent Pay Order must be returned to the Accountant General, and the pension ceases to be payable. If the Pensioner afterwards appears, the Disbursing Officer may reclaim the Permanent Pay Order and renew his payments; but the arrears cannot be paid without the order of the Local Government obtained through the Accountant General.

Accountant General may order payment of arrears.

1. If the suspension of payment is attributable to error or neglect by any Public Officer, the Accountant General may direct

payment of the arrears without taking the orders of the Government.

Payment on account of deceased pensioners.

2. On the death of a Pensioner, payment of any arrear actually due may be made to his heirs, provided that they apply within six months from his death: it cannot be paid thereafter without the sanction of the Local Government. Even if the pension has not been sanctioned before the death of the Officer, the payment may be made under the orders of the Local Government. If an Officer dies before actually retiring or being discharged, his heirs have no claim to anything in respect to the Officer's pension.

Pension may be withheld on account of misconduct.

Section **103**.—Future good conduct is an implied condition of every grant of a pension. The Government reserves to itself the right of withholding or withdrawing a pension, if the pensioner be convicted of serious crime, or be guilty of grave misconduct.

CHAPTER XIX.

COMMUTATION OF PENSIONS.

Rate of commutation.

Section **104**.—A Life Pension not exceeding Twenty Rupees a year may, at any time, on certificate of good health by the Medical Officer (Covenanted or Uncovenanted) of the District, and provided the pensioner's age does not exceed seventy years, be commuted at the rates shown in Table A in Appendix E. The pension of a Pensioner whose age is more than seventy years cannot be commuted except by special order of the Government of India.

1. If a Pensioner whose pension has been commuted, dies before receiving the commutation value, this value is payable to his heirs.

2. The only General Rules for the commutation of pensions are those in this Chapter. The Government of India is opposed to the commutation of pensions save under very exceptional circumstances; the Local Governments should invariably consult the Government of India before ordering (under Section 10* of Act XXIII of 1871) the commutation of pensions otherwise than as provided for in this Chapter.

* *Section* 10.—"The Local Government may, with the consent of the holder order the whole or any part of his pension, or grant of money, or land revenue, to be commuted for a lump sum on such terms as may seem fit."

3. Rule 2 is not to be understood as interfering with Rules issued, with the sanction of the Government of India, for the commutation of any special classes of pension in any Presidency or Province.

Commutation of gratuity to annuity.

Section **105.**—A Gratuity may, at the discretion of the Government of India, or with the sanction of the Government of India, on the application of the recipient, be converted either into a Life Annuity, or into a Temporary Life Annuity, or into an Annuity payable for a fixed number of years with remainder to the Anuitant's heirs in case of his death.

1. The amount of the Life Annuity will be determined by Table A printed as Appendix E.

2. The amount of the Temporary Life Annuity will be determined by the formula given in the Note to Table A in Appendix E.

3. In calculating the amount of an Annuity for a fixed number of years, the Savings Bank rate of interest will be employed. At present that rate is $3\frac{1}{2}$ per cent.—(*See Table B in Appendix E.*)

4. Except as provided in Rule 5, the Government of India will never insist on the conversion of a Gratuity into a Life Annuity, or Temporary Life Annuity, unless the expectation of life of the Officer be reported by competent medical authority to be equal to the average.

5. Every applicant for a Gratuity should appear before a Commissioned Medical Officer, or Medical Officer in charge of a Civil Station; and if the Medical Officer considers that the applicant has clearly not the normal prospects of life, he should so certify in a confidential report to the Head of the Office, explaining briefly the grounds for his opinion. In such case, the Local Government should grant, in lieu of the Gratuity, a pension equal to that which the gratuity would purchase according to the Scale in Table A, Appendix E, for a person of the same age with normal prospects of life. Provided that no gratuity which will yield, on commutation, a pension of less than two rupees a month, need be commuted at all under this Rule. It is not intended that this Rule should be employed indiscriminately, and the Government of India will be ready specially to consider any cases in which its strict operation would cause serious hardship.*

* I am directed to acknowledge the receipt, in the Home Department, of letter No. 1638 (Finance), dated 1st May 1878, enquiring whether the confidential medical report prescribed in Rule 5, under Section 105 of the Civil Pension Code, is required in every case of application for gratuity, or merely in cases where an applicant for gratuity has not the normal prospects of life.

2. In reply, I am to state that it is not intended by the Rule that any accurate valuation should be made of a man's life before a gratuity is awarded to him

CHAPTER XX.

RE-EMPLOYMENT OF PENSIONERS.*

After compensation gratuity.

Section **106**.—An Officer who has obtained a COMPENSATION GRATUITY, if re-employed in qualifying service, may either retain his gratuity, in which case his former service will not count for future pension, or refund it and count his former service.

1. The intention to refund must be stated immediately on re-employment; but the refund may be made by monthly instalments of not less than one-third of the Officer's salary, and also not less than the whole gratuity divided by the number of months which have elapsed since the end of the service for which the gratuity was given. The right to count previous service does not revive till the whole amount is refunded.

After Compensation Pension.

Section **107**.—An Officer who has obtained COMPENSATION PENSION, if re-employed, may retain his pension in addition to his pay; Provided that the sum total shall not exceed the pay of the appointment on abolition of which the pension was given. If his re-employment is in Qualifying Service, he may either retain his pension (subject to the proviso above stated), in which case his former service will not count for future pension, or cease to draw any part of his pension and count his previous service. Pension intermediately drawn need not be refunded.

1. In the case of a Section Writer or Press Servant (*See Section 30*) re-employed the pay of the appointment abolished is taken at the average earnings of the last six months of employment.

2. If an Officer does not, within three months from the date of his re-employment, exercise the option conceded by this Section, of ceasing to draw pension and counting his former service, he may not, thereafter, do so without the permission of the Local Government.

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on retirement. The Local Government may interpret the Rule as it deems reasonable, provided that sufficient precautions are taken to prevent the grave abuses against which it is directed.—*Government of India, Financial Department, to Government of Bengal, No. 1015, dated 21st June 1878.*

*For the Statute 35 Vic., cap. 12, which regulates the re-employment of Pensioned Civil Servants of the British Government, see Appendix C, p. 105. It does not apply to servants of the Government of India.

Section 106.

Page 62.

Insert the following Notes under Rule 1 :—

[NOTES (1.) The equity of this Rule is based upon the consideration that so long as the refund of the gratuity is postponed, the Officer avoids the risk and the State loses the possibility of the gratuity lapsing absolutely to the Public Treasury by the death or dismissal of the Officer. A subsequent refund of a gratuity even with compound interest, does not compensate the State for the loss of this possibility meanwhile. By Resolution, No. 3017, dated 8th September 1869, the attention of all re-employed Officers was pointedly called to this Rule, and a fresh and special opportunity was given to any Officer then in the Service who had neglected to refund a gratuity, to repair his neglect.

(2.) The attention of every Officer who is re-employed should be specially called to this Rule by the authority re-employing him, and, whenever he becomes aware of such an appointment, by the Accountant General. (57)]

3. An Officer who, under this Section, draws pension in addition to pay shall, during leave of absence from his new office, draw so much of his pension as will bring his whole allowances during leave up to the amount which would have been admissible to him if he had taken leave of the same kind under the same circumstances while holding his abolished appointment: Provided that his allowances on leave shall never be less than his pension.

After Invalid Pension.

Section **108**.—There is no bar to the re-employment of an Officer who has regained health after obtaining INVALID PENSION or, if an Officer is invalided as being incapacitated for employment in a particular branch of the service, to his re-employment in some other branch of the service. The Rules in such a case as to refunding gratuity, drawing pension, and counting service, are the same as in the case of re-employment after Compensation Pension.

After Superannuation Pension.

Section **109**.—An Officer who has obtained a SUPERANNUATION PENSION is, by the nature of the case, excluded from re-employment.

After Retiring Pension.

Section **110**.—An Officer who has obtained a RETIRING PENSION cannot be re-employed, except on strong public grounds, and with the express sanction ~~of the Government of India in the Financial Department or, if Pensions are a Provincial Charge~~, of the Local Government. If so re-employed, he is permitted to draw pension in addition to full pay. There is no objection to the employment of such a Pensioner in service paid from Local Funds.

Section **111**.—No Officer may retire with the view of being re-employed, whether in the General Service or at the charge of Local Funds, and drawing Pension in addition to Pay. But a soldier in Civil Employ, who has earned his Army Pension, may continue in Civil Employ, on condition that his Army Pension remains in abeyance so long as he is in Civil Employ.

Pension to an officer holding two or more appointments to be deferred until retirement from service.

Section **112**.—An Officer holding two or more separate appointments may not, save with the express sanction of the Government of India in the Financial Department or, if Pensions are a Provincial Charge, of the Local Government, resign one or more of such appointments on a pension, without retiring from the Public

Service altogether. There is no objection to his being relieved from one or more of such appointments at any time, without being compelled to leave the Service altogether; but, in such case, any pension admissible to him for service in the office or offices from which he is relieved, will be deferred until he finally retires.

Indian Navy Pensions.

1. THE RULES in this CHAPTER do not apply to an Officer pensioned on the abolition of the Indian Navy. If such an Officer is re-employed, his service will be on exactly the same terms as if he had never been employed before. But, so long as he is employed, his Naval Pension will be held in abeyance, excepting so much of it (if any) as is necessary to raise his total emoluments to one-and-a-quarter times the amount of his pension. If he has commuted his pension for a single payment, the same deduction will be made from his allowances as if he had not done so.

Exception.

2. But Engineers, Boiler-makers, and Warrant Officers of the Indian Navy, who were pensioned on its abolition, are permitted to draw their pensions, during re-employment, in addition to full pay.

Military Pensioners.

3. The Rules in this CHAPTER do not apply to a Military Pensioner in Civil Employ; the claims of such an Officer to salary, and pension, in the Civil Department, are not affected by his Military Pension: but the pension of a Commissioned Officer not being a Native of India other than a Good Service Pension, or of the heir of a Native Non-Commissioned Military Officer or Soldier, or of a Medical Subordinate will, during re-employment, merge in his salary. Provided always that an Invalid Native Commissioned Officer shall receive only so much of his Invalid Pension as, with his civil pay, will make his whole allowances equal to his Military pay and allowances immediately before his retirement. If, therefore, the pay of his Civil Appointment is not less than his Military pay and allowances at the date of his retirement, he receives no portion of his Military Pension.

Extraordinary Pension.

4. An Extraordinary Pension granted under Section 135 (*a*), or, under Military Rules, to a Native Officer or Soldier for wounds and injuries, may, in the event of the Pensioner's subsequent employment in the Civil Department, be, during such employment, reduced or suspended by the Government which granted the pension.*

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* The withdrawal of Pension is optional with the Local Government, and it should not be withdrawn except in cases of *complete* recovery. If A. B. is still capable of contributing in only a small degree towards earning a livelihood, his pension should not be withdrawn now that he is serving in the Custom House, Bombay, as he is not earning as much as he might have done had he not suffered from the wound or injury.—*Military Department, to Bombay, No. 500S., dated 13th September 1878.*

Native soldier's invalid pension.

5. If, however, the Wound or Injury Pension of a Native Non-commissioned Officer or Soldier includes an Invalid Pension, he may, if the wound or Injury Pension is withheld, draw the Invalid Pension in addition to Civil Salary.

Temporary employ.

6. A Civil, Military, or Naval Pensioner of any class may, with the sanction of the Local Government, be employed without loss of pension, on duty which is *bonâ fide* temporary, lasting for not more than a year.

Sub-Registrar of Assurances.

7. A Pensioner of any class may be appointed to be Sub-Registrar of Assurances if he be remunerated by fees only.

One pension only allowed.

8. Except as provided in Rules 1, 2 and 3, an Officer who, having been discharged with a pension, is subsequently re-employed may not count his new service for a separate pension. Pension is, in any case, admissible only for the new service combined with the old, the whole being counted as one service.

Cases of neglect to refund.

9. If a Gratuity received for the earlier service has not been refunded, gratuity or pension (as the case may be) may be allowed for the subsequent service on condition that the amount of such gratuity, or the present value of such pension calculated according to Table A in Appendix E, *plus* the amount of the previous gratuity, shall not exceed the amount of gratuity, or the present value of the pension that would have been admissible had the gratuity received for the earlier service been refunded. If the amount of such gratuity, or the present value of such pension, *plus* the amount of the previous gratuity, exceeds the amount of gratuity, or the present value of the pension that would have been admissible if the gratuity received for the earlier service had been refunded, the excess must be disallowed.

Examples:—

1. A. B., after a service of 8 years, received a Gratuity of Rs 4,800. A. B. was re-employed, but did not refund his Gratuity. After serving for 5 years, A. B. becomes eligible for an Invalid Gratuity of Rs. 3,000. If A. B. had refunded the Gratuity for the earlier service, he would have been entitled to a Gratuity of Rs. 7,200. As the gratuity admissible for the new service, *plus* the Gratuity received for the earlier service, exceeds the Gratuity which would have been admissible to A. B. if the Gratuity for the earlier service had been refunded, A. B. is entitled to receive a Gratuity of Rs. 3,000 *minus* Rs. 600, which is the excess.
2. C. D. obtained a Gratuity of Rs. 4,000 after a service of 8 years. C. D. was re-employed, but did not refund his Gratuity. After serving for 16 years, C. D., at the age of 48 years, becomes eligible for an Invalid Pension of Rs. 150 a month. If C. D. had refunded his Gratuity, he would have been entitled to a Pension of Rs. 150 a month. The present value of the Pension of Rs. 150 (Rs. 18,971-14-0), *plus* the Gratuity received for the earlier service, is Rs. 22,971-14-0, and as this is in excess of the present value of the pension by Rs. 4,000

the excess should be disallowed. C. D. will therefore be entitled to a pension of which the present value is Rs. 14,971-14-0, *i.e.*, Rs. 118-5-11 a month.

3. E. F. is removed after a service of 10 years with a Gratuity of Rs. 3,000. E. F. was re-employed, but did not refund his Gratuity. After serving for 20 years, E. F., at the age of 56 years, becomes eligible for a Superannuation Pension of Rs. 150 a month. If E. F. had refunded his Gratuity he would have been entitled to a Superannuation Pension of Rs. 225 a month. The present values of the pension of Rs. 150 and Rs. 225 are, respectively, Rs. 16,092 3-0 and Rs. 24,138-4-6. The present value of the pension of Rs. 150, *plus* the amount of the Gratuity received for the earlier service, does not exceed the present value of the pension that would have been admissible if the gratuity for the earlier service had been refunded. E. F. is therefore entitled to a pension of Rs. 150 a month.

Governor General, &c.

10. The following is the Statute Law applicable to Governors General, Governors, and Members of Council:—

"Provided always, and be it enacted, that if any Governor General, Governor, or Ordinary Member of the Council of India, or any (*Sic* in original—Query "under.") Member of the Council of any Presidency, shall hold or enjoy any Pension, Salary, or any Place, Office, or Employment of Profit under the Crown or any Public Office, or* the said Company (East India Company), or any annuity payable out of the Civil or Military Fund of the said Company, the salary of his office of Governor General of India, Governor, or Member of Council, shall be reduced by the amount of the Pension, Salary, Annuity, or Profits of Office so respectively held or enjoyed by him."—*3 and 4 Wm. IV., Cap. 85, Section LXXVII.*

CHAPTER XXI.

SPECIAL RULES FOR THE POLICE.

Organised Police Forces.

Section **113**.—The following special Rules apply to Members of Police Forces constituted under Acts XIII of 1856, XXIV of 1859, and V of 1861 of the Governor General of India in Council, Act IV of 1866 of the Lieutenant-Governor of Bengal in Council, and Acts VII of 1867 and I of 1872 of the Governor of Bombay in Council.

1. The Trans-Indus Police Force, though not organised under Act V of 1861, and never possessing a Superannuation Fund, is on the same footing as to Pension as the legally constituted Police.

2. The Port Blair Police Force also is not organised under any Statute; and the members of this Force are, without being required to contribute for them, entitled to pensions and gratuities under

No. 150.

Rule 10.

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Insert the following Notes under this Rule :—

NOTES.—(1.) If an Ordinary Member of Council hold or enjoy any pension or any annuity payable out of the Civil or Military Fund, the salary of his office of Member of Council is to be reduced under Acts 3 and 4, William IV. Chapter 85, Section 77, by the amount of the pension or annuity held by him. A Good Service Pension enjoyed by a Military Officer comes within th meaning of pension under the Act cited above.

2. A Good Service Pension also comes within the "allowances," which a temporary Membe. of Council appointed on a vacancy occurring in the office of an Ordinary Member must forego.

3. The salary of the substantive office of a temporary Member of Council appointed in the place of an Ordinary Member of Council who, by reason of infirmity or otherwise, is rendered incapable of acting or is absent on leave, includes the Military pay or Staff Corps pay of an officer holding an appointment the pay of which is a staff salary, but does not include a Good Service Pension. Such a temporary Member is not liable to any deduction of salary on account of Good Service Pension. (150 G.)

the Rules in Chapters XI, XII, and XIII, for the calculation of Pensions and Gratuities for Superior Service, except that the amount of the Pension or Gratuity which may be granted in any case to an Officer of this Force shall not exceed three-fourths of what is admissible under the Rules in Chapters XI, XII, and XIII.

MUNICIPAL AND RAILWAY POLICE.

Municipal Police.

Section **114** (*a*).—If the Police of a town are wholly supported by, and under the control of, a Municipality, the Government has no concern with their pensions.

Subsidised Municipal Police.

(*b*).—But if the Government, being interested in the efficiency of a Police Force paid, wholly or partly, by a Municipality, or from Cantonment Funds, or from the General Revenues subsidised by a Contribution from a Municipality or from Cantonment Funds, undertakes the organisation and control of the Force, as connected with and auxiliary to the Civil Constabulary, service in such a Force qualifies. The Contributions of Municipalities or of Cantonment Funds towards the cost of the pensions of such Forces are, for the present, undetermined.

Police in Presidency towns.

1. The Police Forces in the Presidency towns of Calcutta, Madras, and Bombay, and in the Municipalities in Lower Bengal, come under this Clause.

2. Members of the Police Forces, employed by small Municipalities in Sindh, and by Village Communities in the District of Hyderabad in Sindh, are not entitled to Pensions.

Railway Police

Section **115**.—Service in the Railway Police on the East Indian and the Sindh, Punjab, and Delhi Railways, and in Bombay, qualifies, though such Police are either wholly or partly paid by the Railway Companies.

1. In the Bengal Division of the East Indian Railway, the Railway Company pay six per cent. in addition to salary, in discharge of their liability for pension. In the other Divisions another arrangement is in force.

QUALIFYING SERVICE.

Qualifying service.

Section **116**.—Service in any of the Police Forces mentioned in Section 113, after the establish-

ment of a Superannuation Fund* in the Force, qualifies.†

1. Members of Office Establishments permitted to subscribe to the Police Superannuation Funds by Order of the Government of India in the Financial Department, No. 3398, dated 27th July 1863, may count the service during which they so subscribed.

Bombay City Police.

2. Men of the Police Force of the City of Bombay, who have served the full time for pension in the Force, are, on being invalided, admitted to the benefits of the Superannuation Fund on paying up their subscriptions for the full period of their service. Under this Rule, the service of an Officer in the Bombay City Police before the establishment of the Superannuation Fund counts towards pension under the Rules of the Fund if he pays up his subscriptions for the whole period of his service in the Police Force. This privilege applies only to Police Officers whose pensions are determined according to the Rules of the Superannuation Fund of the Bombay City Police, and not to any Officer whose pension is granted in accordance with the Rules prescribed in Chapters XI, XII, and XIII for the calculation of pensions for Superior Service.

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* The Superannuation Funds were Funds to which, with the exception of certain soldiers of the Sikh Darbar (*see Section* 26 (*e*)) and members of the Oudh Military Police, Police Officers whose pay did not exceed twenty rupees were obliged to contribute. In return for these contributions they became entitled to pensions according to the Rules of the several Funds.

Officers whose pay exceeded twenty rupees did not contribute, as they came under the operation of the Ordinary Pension Rules.

By Act X of 1869, the Superannuation Funds established under Acts XXIV of 1859, and V of 1861 of the Governor General of India in Council, and VII of 1867 of the Governor of Bombay in Council, were abolished. The Superannuation Funds which had been established for the Madras Town Police, under Act XIII of 1856, having been by Act VIII of 1867 of the Governor of Madras in Council, amalgamated with that established under Act XXIV of 1859 of the Governor General in Council, was abolished with the latter. The Funds established under Act IV of 1866 of the Lieutenant-Governor of Bengal in Council, and Act I of 1872 of the Governor of Bombay in Council, for the Calcutta and Bombay Town Police, are still in existence.

In the Police Forces of which the Superannuation Funds were abolished, the pay of the men was reduced, either individually or on the average, to its previous nominal amount, less subscriptions to the Funds, the Government undertaking the liabilities of the Funds.

† I am directed to acknowledge the receipt of your letter No. 1860, dated 27th April 1876, enquiring whether Armorers, Bellows-boys, Bhistees, and Muchies, who have subscribed to the Police Superannuation Fund, should be allowed pensions according to the special Rules for the Police, or according to the Scale prescribed in section 76 of the Civil Pension Code, and whether, in the latter case, the subscriptions recovered from them on account of the Police Superannuation Fund should not be refunded.

2. In reply, I am to say that, as a general rule, the subscriptions recovered from the employés in question should be refunded to them with interest, and

Exceptional privileges.

Section **117**.—In the following cases, Members of Police Forces have exceptional privileges in regard to pension :—

Sikh Darbar soldiers.

(*a*).—Soldiers of the Sikh Government to whom service was guaranteed (*see Section* 26[*e*]), and who, on the breaking up of the Punjab Military Police, were transferred from that body to the Civil Police, are, if their pay does not exceed twenty rupees, entitled to Invalid Pensions at Line-rates for their service under the Sikh Darbar, and in the Military Police and in the Civil Police. First Class Sergeants get pension as Havildars, Second Class Sergeants as Naiks, and Constables as Sepoys.

The Military Police.

(*b*).—Men who, after completing, on 3rd May 1861, four years' service in the Army, or in the Oudh Military Police, were transferred to the Oudh Civil Police, and were in this Force on the 26th January 1864, are, if their pay does not exceed twenty rupees, entitled for their service in the Army, and the Military Police, and in the Civil Police, to pensions on the terms applicable to Local and Irregular troops of the rank corresponding with that which they may attain in the Police.

Mhairwara battalion.

(*c*).—Men of the Mhairwara Battalion, who were present on parade on the 1st July 1857, and were subsequently transferred to the Ajmir and Mhairwara Police, are entitled to pension as Soldiers of the Line.

Previous service when qualifying.

Section **118**.—In the following cases, service rendered before enlistment in the present Police Constabulary qualifies :

Sikh Darbar soldiers and Oudh Military police.

(*a*).—In cases (*a*) and (*b*) under Section 117, if the men subscribed to the Superannuation Fund in order to obtain the higher pensions admissible under its Rules, or if, by serving on pay higher than twenty rupees, they have become entitled to the pension prescribed in Section 122, the previous service mentioned in Section 117 qualifies.

Men transferred on reduction of Native Army.

(*b*).—Soldiers transferred to the Police on reductions of the Native Army count their Army Service.

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their claims to pensions will then be dealt with in accordance with the ordinary Rules for Inferior Servants. In the case, however, of men who have served for not less than ten years, the option should be allowed them either of receiving back their subscriptions and coming under the Ordinary Pension Rules, or of continuing their subscriptions and eventually receiving pensions under the special Rules for the Police.—*Financial Department, to Bombay, No. 1051d, dated 23rd June 1876.*

CHAP. XXI. **Special Rules for the Police.**

Volunteers from the Army.

(1).—This concession does not apply to a soldier voluntarily taking his discharge from the Army and entering the Police.

Punjab Police.

(2).—In the Punjab Police, men counting service under this Rule, if they were faithful during the Mutiny, when their regiments joined the rebels, are entitled to pension as Soldiers of the Line, instead of at the rates of the Superannuation Fund.

Lucknow Garrison.

(3).—Soldiers who formed part of the Garrison of Lucknow during the Siege in 1857, count three years' additional service.

Bhagalpur Hill Rangers

(4).—Men of the Bhagalpur Hill Rangers, who, on the disbandment of the Corps, took employment in the Police, count their service in that Corps, including the period of employment in it during the time the Corps was under the orders of the Civil Department after the reductions in the Native Army made in 1861.

Nagpúr Irregular Force.

(*c*).—Men who were enlisted in the Central Provinces Police after discharge with gratuity from the Nagpúr Irregular Force, or who were transferred to the Police from that Force, or from the Mulki Horse, count their service in these Forces, and also in the Forces of the late Raja of Nagpúr.

Nagpúr Irregulars.

(*d*).—Men who served with the 1st Regiment, Nagpúr Irregular Infantry, or with the Mulki Horse during the Mutiny in 1857, count two years' additional service.

Hill Rangers.

(*e*).—Men of the Berar Police, recruited from the Hill Rangers, count their service in that Corps.

Military Police.

(*f*).—Service in the 1st Bengal Military Police Battalion and in the Oudh Military Police qualifies.

Previous superior service.

(*g*).—Service in Superior Grades in the old Civil and Military Police (*i. e.*, as a Daroga or in any office of higher rank in the Civil Police, and as a Jamadar or in any office of higher rank in the Military Police) or in any other Department, qualifies.

Ashburner's Levy.

(*h*).—Service in the Special Levy which, during the Mutiny, was organised in the Kaira District under the supervision of Mr. L. R. Ashburner, then First Assistant Magistrate of Kaira, qualifies.

Military Police.

(*i*).—In the North-Western Provinces, the Punjab and Oudh, men count half their service in the inferior grades in the old Civil and Military Police.

Army Service and Military Police Service.

(*j*).—Men transferred from the Army to the Military Police in the years 1858 to 1861, preserved whatever title they

C. P. C.

Section 118, case (b) (3).

Page 70.

For "Soldiers" *substitute* "Native Commissioned or Non-Commissioned soldiers." (78)

the Police after the age of 18 years qualifies; (2) in addition to the leave which, under Chapter IX, is reckoned as service, one year's leave in fifteen years' service, and two in thirty years' service, is so reckoned.

Calcutta and Bombay Town Police.

Section **121** (*a*).—The Pensions of Officers of the town Police of Calcutta and Bombay are regulated by Scale A.

Other Police.

(*b*).—The Pension of an Officer of any Other Force is regulated as follows:—

(1).—If he was in the Police before the 19th July 1871 and has served continuously since that date;—by Scale A or Scale B according to his election (which, by Order in the Financial Department, No. 2091, dated 19th July 1871, he was required immediately to declare): Provided that, in the case of an Officer who has elected to abide by Scale B, such election shall not prejudice his title to count as service for pension, any leave obtained by him before his election, which, under the Rules of the Superannuation Fund, would have counted for pension.

(2).—If he was enlisted or re-enlisted on or after the 19th July 1871;—by Scale B.

Officer on pay exceeding Rs. 20.

Section **122**.—The Pension admissible to an Officer whose pay at date of discharge or resignation exceeds twenty rupees, is determined by the Rules which apply to Ordinary Service, except that service rendered after the completion of 22 years of age, and declared by this Chapter to be qualifying, is treated as Superior Service, and that the benefit of Section 119 is not withdrawn from a Police Officer by reason of his being promoted to pay exceeding twenty rupees a month.

1. When a Police Officer, by promotion to a pay exceeding twenty rupees, loses any benefit as to pension which he would have enjoyed had his pay remained unchanged, his pension may be regulated as if he had not received the promotion.

Section 122.

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Insert the following Rule under this Section :—

2. Men of the Bombay City Police count as Superior their service in the Force in inferior grades before the establishment of the Superannuation Fund. (33)

Previous inferior service.

Section **123**.—If part of an Officer's Continuous Service qualifies for pension under the General Rules of the Code, but does not qualify under the Rules in this Chapter, he may elect to receive, in lieu of the pension admissible under the Rules in this Chapter, such pension as is admissible to him, under Sections 76 and 77, for the whole of his service, both Inferior and Superior. (*See Note under Section 65, Rule 1, page 36.*)

Example.—An Officer who was transferred to the present Civil Police from an Inferior Grade in the Old Police, or from the Military Police, and who is not entitled, under Section 117 or 118, to count former service, may obtain pension under this Section.

1. An Officer who under Section 121 (*b* 1) has elected to abide by Scale B, will, if he takes gratuity under this Section, obtain, in lieu of the Scale prescribed in Section 76 (*a*), one month's pay for every complete two years of service, but not more than twelve months' pay in all.

To be calculated on net pay.

Section **124**.—Except in the case of the Town Police of Calcutta and Bombay (*Section* 121 [*a*]), pension is to be calculated upon the net pay, *i.e.*, the pay actually received by the Officer, and not upon the gross pay, *i.e.*, the pay from which were deducted the subscriptions to the Superannuation Funds (*see first foot-note to Section 116*). But this Rule shall not, until he be either promoted to higher pay, or degraded for misconduct, to lower pay, be applied to any Officer who, on the 19th July 1871, was entitled, by the Rules of the Superannuation Fund, to have his pension calculated on his gross pay.

Good service pay does not count.

1. Good Service pay is not reckoned in calculating pension, except in the case of those who, before the 19th July 1871, were members of the Police Forces of Bengal (excluding the East Indian Railway Police) or the Punjab.

VERIFICATION OF SERVICE.

Service rolls.

Section **125** (*a*).—There shall be kept up for each District, by the District Superintendent of Police, a Service Roll in English, in which shall be recorded the date of the enrolment of each man in the Constabulary; his caste, tribe, village, age, height, and marks of identi-

fication when enrolled; his rank, promotion, reduction, or other punishment; his absences, from duty, on leave or without leave; the interruptions in his service, and every other incident in his service which may involve forfeiture of portions of his service, or affect the amount of his pension.

(*b*).—The Roll shall be checked by the Vernacular Roll and Order Book and the Punishment Register, and every entry in it shall be signed by the District Superintendent of Police.

(*c*).—In addition to the Roll thus prescribed, the Inspector General of Police shall keep a record of all service on pay exceeding twenty rupees (except that of Gazetted Officers), and shall verify the record, yearly, in communication with the Accountant General.

(*d*).—From this Roll the necessary Statement of Service of every applicant for pension shall be prepared, additional proofs being collected, as prescribed in Section 84, in respect of any service, rendered before enrolment in the Constabulary, which the applicant may be entitled to count.

Caution against abuses.

1. District Superintendents of Police should be on their guard against endeavours to retire on Invalid Pension by Officers who are capable of serving longer. Medical Officers should be searching in their examination of the physical unfitness of every applicant for pension, and, whenever the number of applicants for pension is large, the examination should, if possible, be conducted by two Medical Officers.

POWER OF SANCTION.

Sanction.

Section **126**.—A claim to pension by a Police Officer, on pay not exceeding twenty rupees, only for the period of continuous and verified service in the Force in which at the time of his application he is serving, may, if admissible under the strict letter of the Rules, be allowed by the Inspector General of Police, and reported to the Accountant General with the necessary particulars for identification.

All other claims will be treated under the Ordinary Rules.

Section 125 (*d*).

Page 74.

Add Rule 2:—

2. Medical officers should confine themselves to recommending leave to such policemen as are not likely to benefit by a further stay in hospital, and should not certify that a policeman is incapacitated for further service unless they are officially requested to report upon his incapacity for further service. (10 A.G.)

1. Claims to Extraordinary Pension (*see Chapter XXII*), even though they may be provided for by the Rules of the Superannuation Fund, are subject to the Rule in Section 134.

MANNER OF PAYMENT.

Payment.

Section **127**.—Payment of a pension shall be made by the Treasury Officer of the District where the Pensioner resides, on a Permanent Pay Order (in the case of a pension), and on the identification of the Pensioner by the District Superintendent of Police. Special Committees shall be assembled every five years to identify the Pensioners.

CHAPTER XXII.

EXTRAORDINARY PENSIONS.

IN CASES OF INJURY OR DEATH.

[NOTE.—The Rules in this Chapter are analogous to the Regulations for the grant of pensions to soldiers wounded in action and to the heirs of soldiers killed in action.]

Not cases of mere accident.

Section **128**.—The following are the Rules for the grant of a pension:—

(*a*) to a man so injured, in the execution of a public duty, as to be incapacitated for earning a livelihood;

(*b*) to the family of a man killed in the execution of a public duty.

They apply to any person employed in the service of the Government, whether permanently, temporarily, or even casually, and whether remunerated by fixed pay, or (as, for example, miners in the salt mines) for piecework. They apply also to Village Watchmen.

Section **129**.*—An Extraordinary Pension is granted only when injury or death is met in the performance

* In an Order by the Government of India in the Financial Department, No. 3141, dated 20th September 1873, it was observed that this Rule being based upon the analogy of the Regulations for the grant of pensions to soldiers wounded, and to the families of soldiers killed in action, the Government is

of a duty which is attended with extraordinary bodily risk. The Government recognises no claims on account of loss of life or bodily injury resulting from an ordinary accident.

The following are examples of cases of ordinary accident: A Policeman falling from a horse; a Policeman on escort duty killed by sun-stroke; a Lascar killed by the snapping of a hawser; a Laborer falling under a burden.

Claim by families not admissible in ordinary cases.

1. The Government recognises no claim by a widow on account of the services of her husband: it is the duty of every Government Officer himself to provide for his family.

2. The Government of India are almost invariably under the painful necessity of rejecting recommendations made in contravention of Rule 1; and the submission of such recommendations, save under very extraordinary circumstances, is disapproved, as calculated only to give rise to hopes which cannot be fulfilled.

[NOTES.—(1).—In Despatch No. 36, dated 17th November 1841, regarding the establishment of the Bengal Uncovenanted Service Family Pension Fund, the Court of Directors observed—"In referring to the causes which may have operated to keep back Subscribers, the Directors advert to a reliance supposed to be placed on the special exercise of our bounty in favor of the families of deceased servants. Whether or not such reliance have any effect in discouraging subscriptions to the Fund, it is most important to the interests of the families of our Uncovenanted Servants that it should not be indulged. In our despatch, dated the 16th October 1839, No. 31, we called your attention to the fact that the Rules restricted the grant of pension to the family, or any member of the family, of a deceased servant, to cases where the servant shall have been killed in the exercise of his public duty, or shall have died in consequence of wounds or accidents sustained therein, except in special cases justifying extraordinary indulgence, and which are of very rare occurrence. The belief, therefore, that the fact of a person dying in our service gives his family a claim to pensionary provision (if such belief exist), is a delusion which may be productive of very painful consequences, and which, for this reason, we feel it an imperative duty to endeavour to dispel. We observe that the Committee of the Fund have taken some pains to make our views on the point generally known; and, in thus acting, they have contributed not only to promote the interests of the Fund, but to render valuable service to their brethren by disabusing their minds of a dangerous error."

(2). "Grave objections exist to the grant of special pensions to the families of Uncovenanted Servants, every such grant forming a precedent which is quoted in support of subsequent applications, with less claims to consideration.—(*Secretary of State, No. 52, dated 8th February 1870*).]

Claims recognised in case of death.

Section **130**.—A pension is granted to the family of a man killed in the execution of his duty, only if he

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compelled strictly to limit its application to the cases for which it is intended to provide; and, moreover, that it is obviously inexpedient for the Government to dispense charity in individual cases, or to do anything which might weaken the inducements to Officers to secure proper provision for their families.

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In the foot-note, substitute "*2nd November*" for "31*st October*".[60]

had a wife, legitimate child, father or mother, dependent upon him for support.

1. (*a.*)—If a pension is granted to a family under this Section, it is allotted for the support of the family, to the eldest surviving son;

failing sons, to the eldest widow, for the same purpose;
failing both sons and widows, to the eldest surviving unmarried daughter, for the same purpose;
these failing, to the father, for the same purpose;
and, failing all others, to the mother, for the same purpose.

(*b.*)—To a male, pension is given as follows:—

if the Pensioner is under six years of age; till he is eighteen years old;
if above six and under fifty years; for twelve years;
if not under fifty years; for life.

(*c.*)—The pension to a female is for life or until marriage:* but, on her suitable marriage, the Local Government may at its discretion grant her five years' pension as a dowry.

(*d.*)—A pension is given to only one member of each family, and no transfer of the pension to another member is permitted on its lapse either by the demise of the Pensioner or for any other reason, or, on its remaining in abeyance under the operation of the Rules in Chapter XX.

[NOTE.—The words "for the support of the family" should be inserted in every order sanctioning a pension under this Section.]

2. Whenever application is made for a pension under this Section, a list should be given of the names and ages of the surviving kindred of the deceased Officer, as follows:— Particulars to accompany application.

	Names.	Dates of birth by Christian era.
Sons		
Widows		
Daughters		
Father		
Mother		

* A Political, Extraordinary, or other Pension granted in the Civil Department to a female infant, native of Asia, shall, in the absence of special orders to the contrary, last until she leaves her own family to cohabit with a husband, or, being married, attains the age of 16 years, whichever event happens first.—(*Financial Resolution No. 3767, dated ~~31st October~~ 1876.*)

If the deceased has left no son, or no widow, or no daughter, or no father, or no mother him surviving, the word "None" or "Dead" should be entered opposite to such relative.

Amount of pension

Section **131**.—The amount of pension is to be regulated by—

(*a*) the character and service of the injured or killed;

(*b*) the nature of the risk undergone, and the conduct of the man in accepting it;

(*c*) the nature and extent of the injury received;

(*d*) the pecuniary circumstances and prospects of the claimant.

1. The Government does not bind itself to grant pension in every case, or, if it grants pension, to grant it for life.—(*See Rules under Section 130.*)

Preliminary inquest.

Section **132**.—Whenever a claim for Extraordinary Pension arises, the Head of the Office in which the man killed or injured was employed must hold a formal inquest, taking evidence on the following matters:

(*a*) the circumstances under which the injury was received, or the life lost;

(*b*) the relationship (in the case of a death), and the pecuniary circumstances of the claimants.

Pension roll.

Section **133**.—The Head of the Office will then submit the case, with a report, through his Official Superiors, to the Government, together with, in the case of a man injured, an application in the usual form (*Form A, Appendix A*), and, in the case of a man killed, a Statement in Form D, Appendix A.

Power of Local Governments.

Section **134**.—The Local Government may grant a gratuity not exceeding six months' pay (which is ordinarily the maximum given), reporting the grant as in the case of an Ordinary Gratuity. If the Local Government deems a grant of six months' pay insufficient, it should report the case, with a recommendation, to the Government of India in the Department in which the Officer was serving.

1. A Director of State Railways is authorised to grant a Gratuity to any State Railway servant who may be injured,

Section 134.

Page 78.

Substitute—

Section 134. The Local Government may grant a gratuity not exceeding six months' pay or Rs. 100 (whichever is greater), reporting the grant as in the case of an ordinary gratuity. The Government of India may, in any case, sanction a gratuity not exceeding Rs. 500.

or to the representatives of any State Railway servant who may be killed, by the working of trains or engines, otherwise than through his own negligence or wilful action: Provided that such gratuity shall not exceed a sum equal to six months' pay of the servant injured or killed, subject to a maximum limit of Rs. 200.

2. In case of an accident to a person not in Government employ, the Engineer-in-Chief of a State Railway is authorised, after consultation with the Magistrate of the District or Sub-Division in which the accident occurred, to award, promptly, any sum, not exceeding Rs. 50, approved by the Magistrate as sufficient. If the Magistrate recommends more than Rs. 50, the authority of the Director of State Railways must be sought up to Rs. 200.

[NOTE.—Grants under this Rule should be charged as part of the working expenses of the Railway concerned.]

3. If the Director thinks Rs. 200 insufficient, a reference must be made to the Government of India.

4. In the case of the Narora Branch Railway and Tramway, the Government of the North-Western Provinces exercises the powers of a Director of State Railways under these Rules.

Power of Supreme Government.

Section **135** (*a*).—The Government of India may, under special circumstances, grant a pension, not exceeding twenty-five rupees a month, to a Government Officer injured, or to the family of a Government Officer killed, in the execution of his duty, as follows:—

(1). To an Officer wounded in the first or second degree,* a pension not exceeding full pay.

(2). To an Officer wounded in the third or fourth degree,* a pension not exceeding half-pay;

* *1st Degree.*—Men losing two limbs or both eyes from wounds; or being so severely wounded as to be totally incapable of earning a livelihood and to require the care and assistance of some other person.

2nd Degree.—Men losing one limb or one eye; or being so disabled as to be incapable of earning a livelihood, though not requiring the care of another person.

3rd Degree.—Men not losing a limb or an eye who have received an injury equal to the loss of a limb, or who are otherwise so disabled as to be capable of contributing in only a small degree towards earning a livelihood.

4th Degree.—Men able to contribute materially towards a livelihood, although unfit, from wounds, for the ordinary duties of the service.

or, if the officer is entitled to an invalid pension of half pay under Section 68 or 76 of this Code, then not exceeding three-quarters pay.

(3). To the family of an Officer killed in the execution of his duty, a pension not exceeding half the pay of the deceased Officer, and not less than Rs. $2\frac{3}{4}$ (two and three-quarter rupees) a month.

(4). These Rules apply to a Village Watchman or his family, even though he receive no pay from the State.

(*b*).—The Government of India may sanction, in lieu of Pension under Clause (*a*), a Gratuity in excess of six months' pay: Provided that such Gratuity shall not exceed one hundred rupees.

Duration of wound pension.

(*c*).—A Pension granted under Clause (*a*) (1 or 2) will, unless the Pensioner is more than sixty years old (in which case it will be permanent), continue, in the first instance, for two years only. At the end of eighteen months, the Pensioner shall be examined afresh by a Medical Officer in charge of a Civil Station, upon whose report the Local Government will decide whether the Pension shall be continued or not for a further term, or permanently, and whether the Pensioner shall be subjected, or not, to further medical examination.

MILITARY SERVICE.

Civilians wounded on military service

Section **136.**—Officers and men, enrolled as Volunteers, and having a military organisation, enjoy the same privileges in regard to compensation for wounds as soldiers of corresponding grades, unless they are entitled under the following Rules, or under special conditions of service, to higher rates:

(*a*).—An Officer of the Covenanted Civil Service wounded in action while serving (under circumstances justifying his presence) with a Military Force, will receive such compensation as may be granted by the Government of India, subject to the confirmation of the Secretary of State.

Section 135 (*b*).

Page 80.

For "Government of India" *in the first line of this Section, substitute* "Local Government." (12)

(*b*).—Any other Civil Officer of the Government will receive compensation in proportion to his salary according to the following Scale:—

If his salary is—

Rs. 500	a month,	or upwards,	as a Captain.
„ 300	„	„	Lieutenant.
„ 200	„	„	Ensign.
„ 100	„	„	Subadar.
„ 50	„	„	Jamadar.
„ 16	„	„	Sepoy.

(*c*).—A person not in Civil or Military Service, wounded in action while serving (as aforesaid) with Military Forces, will receive compensation according to his station in life as compared with that of a Military Officer, each case being considered separately on its own merits by the Government of India, and compensation granted subject to the confirmation of the Secretary of State.

MUTINY PENSIONS.

Widow's Military Pension.

Section **137**.—The widow of an Uncovenanted Officer, who receives a pension on account of her husband having been killed in the Mutiny, retains half her pension after re-marriage. Her half pension is not increased on second widowhood.

Schedule A.

OFFICERS WHO ARE ENTITLED TO CERTAIN SPECIAL PRIVILEGES.

(See Sections 20, 21, 52, and 69).

I.—Officers of the Public Works Department trained in the Royal Indian Engineering College at Coopers' Hill.

II.—'Stanley Engineers' of the Public Works Department, *i.e.*, Civil Engineers appointed in England, in the years 1859 to 1871, under covenant and after competitive examination, in general accordance with Lord Stanley's Despatch No. 11 (Public), dated 9th March 1859.

III.—Other Civil Engineers appointed to the Public Works Department—

(1) By the Secretary of State, before the 1st November 1873.

(2) By competent authority in India—

(*a*) from the Civil Engineering Colleges in India;

(*b*) Others who are not of purely Asiatic descent.

IV.—Officers of the Telegraph Department specially trained in Europe under Regulations made by the Secretary of State.

V.—The following three Officers of the Agricultural Department, Madras, who are Graduates of the Royal Agricultural College, or of some other institution of equal standing:—

William Rowntree Robertson. Charles Benson. Kaspar Schiffmayer.

VI.—Graded Officers of the Geological Survey Department.

VII.—Officers of the Forest Department specially trained in Europe under Regulations made by the Secretary of State.

No. 75.

SCHEDULE A.

Page 82.

Add to Class IV—

including the following Officers who were specially trained in England to introduce the Morse system into India:—

Bignell, W. K. D.	Flindell, R. B.	Owen, H. P.
Brooke, W. B.	Gordon, C. B. P.	Teale, F. G.
Cappel, A. J. L.	Gosselin, G. A	Thompson, H. E.
Charles, G. G.	Lane, J. H.	Toulmin, W. N.
Dallas, R. F.	MacGregor, W.	Walton, H. I.

(75)

SCHEDULE A.

Page 82.

In the nominal list in Class IV, include

Ffinch, B. T. (132)

APPENDIX A., FORM A., FIRST PAGE.

Page 83.

In entry No. 3, *substitute* "and" *for* "or"; *and in entry No.* 4, *after* "Residence" *add* "shewing Village and Pergunnah." (1)

Appendix A, Form A.

APPENDIX A, FORM A.—(Four pages.)

FIRST PAGE.

Application for Pension or Gratuity.

1. Name of applicant.
2. Father's name.
3. Place, sect or caste.
4. Residence.
5. Present or last employment, including name of establishment.
6. Date of beginning of service ... 1st May 1851.
7. Date of ending of service ... 30th June 1871.
8. Length of service, including interruptions ... Y. M. D.
   of which superior ... 20 2 0
   inferior ... 17 2 10
   non-qualifying and interruptions ... 1 5 0
9. Class of pension or gratuity applied for, and cause of application.*
10. [Average] emoluments or pay.
11. Proposed pension.
12. Proposed gratuity
13. Date from which pension to commence.
14. Place of payment.
15. Date of applicant's birth by Christian era.†
16. Height.
17. Marks.
18. Date.

* If the application is for a compensation pension or gratuity, the nature of the change of establishment which has given rise to the claim should be fully stated.

† (If not known exactly, must be stated on the best information or estimate.)

Signature of Head of Office.

SECOND PAGE.

History of the Service (showing Interruption) of

Establishment.	Appointment.	Pay.	Acting Allowance.	Date of beginning.	Date of ending.	Period reckoned as service.	Period not reckoned as service.	Remarks.	How verified.	Department, by whom Countersigned.
		Rs.	Rs.			Y. M. D.	Y. M. D.			
Collector of Hooghly.	Muharrir	10	...	1st May 1851	15th Aug. 1851	...	0 3 16	Interior grade.	By Accountant General, Bengal — See enclosure A.	
Ditto	Ditto	15	...	16th Aug. 1851	30th Sept. 1852	...	1 1 16	Under 22 years of age.		
Ditto	Ditto	16	...	1st Oct. 1852	7th May 1860	3 7 7	0 6 0	....		
On sick leave	Ditto	...	...	8th May 1860	7th Nov. 1866*					
Collector of Hooghly	Muharrir	15	...	8th Nov. 1856	15th Jan. 1859	3 2 8	0 0 2	Resigned to join a new appointment.		
Out of employ	...	...	...	16th Jan. 1859	17th Jan. 1859					
Post Office, Hurdwan	Deputy Post Master	25	...	18th Jan. 1859	11th July 1865	6 5 24	0 1 20	Suspension ordered by Court.	Comptroller of Post Office Accounts. See enclosure B.	
Under suspension				12th July 1865	1st Sept. 1865					
Post Office, Hurdwan	Deputy Post Master	25	...	2nd Sept. 1865	3rd March 1868	2 6 2	.....	Suspension ordered by Court.		
Post Office, Hurdwan	Deputy Post Master	25	10	4th March 1868	3rd Dec. 1869	1 9 0	.....			
Out of employ in consequence of abolition of appointment				4th Dec. 1869	1st Nov. 1870	...	0 10 28			
Under Judge of Nuddea	Clerk	40	...	2nd Nov. 1870	30th June 1871	0 7 29	.....		Accountant General, Bengal — See enclosure C.	
Total period of superior service						17 3 10				

THIRD PAGE.

Remarks by Head of Office.

1. As to character and past conduct of applicant.
2. Explanation of any suspension or degradation
3. Regarding any gratuity or pension already received by applicant, see Chapter XX.
4. Explanation under Section 59, Rule 1, so far as the Head of the Office can give it.
5. Any other remarks.

Signature.

Certificate and Report of Accountant General.

Certified that (subject to the remarks below recorded) qualifying service in [*inferior or superior*] grades has been duly proved for years months days; and that a [*pension or gratuity*] not exceeding Rs. , is admissible under Section of the Civil Pension Code. The calculations have been duly verified. The (*pension or gratuity*) is chargeable to (*here specify whether to General Revenues or to what Fund.*)

Accountant General.

FOURTH PAGE—(Docket).

Application for Pension or Gratuity.	
Date of application.	
Name of applicant.	
Last appointment.	
Class of pension or gratuity.	
Amount of pension sanctioned.	
Amount of gratuity sanctioned.	
Date of commencement.	
Date of sanction.	

APPENDIX A, FORM A, THIRD PAGE.

Page 84.

Insert the following as 6 *under* REMARKS BY HEAD OF OFFICE :—

6.	Specific opinion of Head of Office whether the service claimed is established and should be admitted or not (*see Rule* 6 *under Section* 84). (5)

APPENDIX A., FORM B. (OBVERSE.)

Page 85.

After "Residence" *in two places, add* "shewing Village and Pergunnah." (1)

APPENDIX A, FORM B, *of Permanent Pay Order.*

(Obverse.)

COLLECTOR'S HALF.

Place for signature of Pensioner on the first payment made hereon

Class of pension and date of order sanctioning it.	Personal identification.	Height.		Date, or approximate date of birth.	Sect.	Residence.	Amount of monthly pension.
		Feet.	Inches.				

ACCOUNTANT GENERAL'S OFFICE;

No.____ *Calcutta*, _____ 187 .

SIR,

Until further notice, and on the expiration of every month, be pleased to pay to A. B. the sum of Rupees _____ being the amount of _____ pension, as _____

upon the production of the counterpart hereof, taking from the claimant a receipt for the amount according to usual form.

To the Collector of _____ *Accountant General.*

NOTE.—*Payment upon this order is to be made only to the Pensioner in person* unless he be specially exempted or disabled from appearing by illness or bodily infirmity, in which case payment may be made upon a life-certificate signed by a responsible officer of Government or other well-known and trustworthy person.

PENSIONER'S HALF.

NAME OF PENSIONER _____

HEAD OF CHARGE _____

Class of pension and date of order sanctioning it.	Date, or approximate date of birth.	Sect.	Residence.	Amount of monthly pension.

ACCOUNTANT GENERAL'S OFFICE;

No._____ *Calcutta*, _____ 187 .

SIR,

Until further notice, and on the expiration of every month, be pleased to pay to A. B. the sum of Rupees _____ being the amount of _____ pension, *as* _____

upon the production of this order and a receipt according to usual form.

To the Collector of _____ *Accountant General.*

NOTE.—Payment under this order is to be made only to the Pensioner in person, unless he be specially exempted, or disabled from appearing by illness or bodily infirmity, in which case payment may be made upon the production of this order, and upon a life-certificate signed by a responsible officer of Government or other well-known and trustworthy person.

NOTE 2.—On the decease of the Pensioner, this order should be immediately returned by his family to the District Officer, with a report of the date of his decease.

APPENDIX A, FORM B, *of Permanent Pay Order.*

(Reverse.)

Reverse of Pensioner's Half.

Every separate payment is to be recorded below by the Disbursing Officer.

When paid.	For the month of	Amount.	Initials of Disbursing Officer.	When paid.	For the month of	Amount.	Initials of Disbursing Officer.

Reverse of Collector's Half.

This document is to be retained by the Disbursing Officer so long as the authority remains in force in such manner that the Pensioner shall have no access to it. Every separate payment is to be recorded below.

When paid.	For the month of	Amount.	Initials of Disbursing Officer.	When paid.	For the month of	Amount.	Initials of Disbursing Officer.

APPENDIX A, FORM C.—(*See Section 90.*)

Pensions / Gratuities *sanctioned by the Secretary of State, the Government of India, or the Government of*_____

*in all Departments during the Quarter ending*_____

187—.

[*N. B.*—A separate Return should be made of each of the following classes of Pensions and Gratuities, a note being added of such of these separate Returns as are blank :—

I.—Compensation Pensions. Superior Service.—Sections 59 and 68 (*b* and *c*).
II.—Invalid Pensions. Superior Service.—Sections 61 and 68 (*b* and *c*).
III.—Superannuation Pensions. Superior Service.—Sections 65 and 70.
IV.—Retiring Pensions. Superior Service.—Sections 66 and 71.
V.—Compensation Pensions. Inferior Service.—Sections 59 and 76 (*b*).
VI.—Invalid Pensions. Inferior Service.—Sections 61 and 76 (*b*).
VII.—Compensation Gratuities. Superior Service.—Sections 59 and 68 (*a*).
VIII.—Invalid Gratuities. Superior Service.—Sections 61 and 68 (*a*).
IX.—Superannuation Gratuities. Superior Service.—Sections 65 and 70.
X.—Compensation Gratuities. Inferior Service.—Sections 59 and 76 (*a*).
XI.—Invalid Gratuities. Inferior Service.—Sections 61 and 76 (*a*).
XII.—Extraordinary Pensions.—Sections 128 (*a*), 135 (*a*), and 136.
XIII.—Extraordinary Gratuities.—Sections 128 (*a*), 134, 135 (*b*), and 136.
XIV.—Extraordinary Family Pensions.—Sections 128 (*b*) and 135 (*a*).
XV.—Extraordinary Family Gratuities.—Sections 128 (*b*), 134, and 135 (*b*).]

Column 1.—Serial number.
„ 2.—Name of Recipient.
„ 3.—Date of Recipient's birth by Christian era.
„ 4.—Designation of last employment.
„ 5.—Name of Office in which last employed.
„ 6.—Date on which employment ceased.
„ 7.—Character.

Appendix A, Form D.

Column 8.—Period counted as service.

„ 9.— $\frac{\text{Average Emoluments.}}{\text{Pay or Emoluments at time of discharge.}}$

„ 10.—Amount of $\frac{\text{monthly Pension.}}{\text{Gratuity}}$ granted—

(*a*)—Chargeable to Indian Revenues.

(*b*)—Chargeable otherwise than to Indian Revenues.

(*c*)—Total of (*a*) and (*b*).

„ 11.—Remarks.—(Here note any cases where less than the full pension or gratuity admissible has been granted; also note the number and date of the orders of the Government of India or Secretary of State in cases in which the pensions and gratuities are sanctioned by the Government of India or the Secretary of State.)

APPENDIX A, FORM D.—(*See Chapter XXII, Section 133.*)

Application for an extraordinary pension or gratuity for the family of A. B. late a _____ _____killed in the execution of duty.—Submitted by the_____ _____

(A).—Description of claimant.

1.—Name and residence.
2.—Age.
3.—Height.
4.—Race, caste, or tribe.
5.—Marks for identification.
6.—Present occupation and pecuniary circumstances.
7.—Degree of relationship to deceased.

Appendix A., Form D.

Page 88.

In entry No. 1, *after* "Residence" *add* "shewing Village and Pergunnah." (1).

Appendix A, Form D.

(B).—Description of deceased.
- 8.—Name.
- 9.—Occupation and service.
- 10.—Length of service.
- 11.—Pay when killed.
- 12.—Nature of injury causing death.

(C). 13.—Amount of pension or gratuity proposed.

(D). 14.—Place of payment.
15.—Remarks.

(*Place.*)
(*Date.*)

SIGNATURE OF HEAD OF OFFICE.

Appendix A, Form E.

FORM

RETURN OF PENSIONS PAID AT_____

Pensions exceeding Rs._____and not

[NOTE.—The Return is in three parts—(1) for pensions not exceeding Rs. 10 a month; (2) for pensions

	PRESENT AGE (LAST			
	Not more than 50 years.	51 to 60 inclusive.	61 to 65 inclusive.	66 to 70 inclusive.
1.—Number of Pensioners on the list at end of last year. Heading 9 of year's Return... ...				
2.—Deduct the number transferred into the next period of age ...				
3.—Add the number transferred from the last period of age ...				
4.—Number from last year thus corrected for age				
5 NEW NAMES BROUGHT ON THE LIST. By new pensions ...				
6 By renewal after being struck off				
7 By transfer from other offices				
8.—Total of Headings 4 to 7, being total number to be accounted for				
9.—Number on Pension List at end of year				
10 REMOVED DURING THE YEAR. By transfer to other offices				
11 Reported dead ..				
12 By non-appearance for six months				
13.—Total of Headings 9 to 12, being total number accounted for ...				

NOTES.—Headings 2 and 3 show the transfers rendered necessary by Pensioners passing from one of the ing 2, in the next preceding column.

Heading 6. Enter here any persons who, after being entered under Heading 12 of the previous 102), are again admitted into the List.

Appendix A, Form E.

E.

DURING THE YEAR 187 -7

*exceeding Rs.*_____

exceeding Rs. 10, but not exceeding Rs. 50 a month; (3) for pensions exceeding Rs 50 a month.]

BIRTH-DAY) OF PENSIONERS.

71 to 75 inclusive.	76 to 80 inclusive.	81 to 85 inclusive.	86 and upwards.	TOTAL.	REMARKS.

APPENDIX A, FORM F.

Comparison of the rates of Mortality.

AGE.	I. Pensions not exceeding Rs. 10				II. Pensions exceeding Rs. 10 and not exceeding Rs. 50.				III. Pensions exceeding Rs. 50.				Total of the three grades of Pensions.			
	Total number on Roll on 31st March 187(4).	Number died in 187(4)-7(5).	Expected deaths as per table.*	Difference between expected and actual mortality, plus or minus.	Total number on Roll on 31st March 187(4).	Number died in 187(4)-7(5).	Expected deaths as per table.*	Difference between expected and actual mortality, plus or minus.	Total number on Roll on 31st March 187(4).	Number died in 187(4)-7(5).	Expected deaths as per table.*	Difference between expected and actual mortality, plus or minus.	Total number on Roll on 31st March 187(4).	Number died in 187(4)-7(5).	Expected deaths as per table.*	Difference between expected and actual mortality, plus or minus.
Under 50 ...																
51 to 60 .																
61 to 65 .																
66 to 70 ...																
71 to 75																
76 to 80 ...																
81 to 85 ...																
86 and upwards																
Total																

*

Age.		Rate of mortality per cent.
Under 50	...	4·
51 to 60	...	4·5
61 to 65	...	6·5
66 to 70	...	8·
71 to 75	...	10·
76 to 80	...	12·
81 to 85	...	12·5
86 and upwards	...	14·

APPENDIX B.

I.

PENSION RULES OF 4TH JANUARY 1831.

RULES relative to the grant of Superannuation Pensions to Subordinate Officers in the Civil Department.

[NOTE.—Subsidiary and Supplementary Rules of date later than 4th January 1831, are printed in small type.]

Section 1.—Superannuation Pensions will be granted only to the Superior Classes of Public Servants indicated in the annexed List.

[NOTE.—This list is not published, as the Code sufficiently declares to whom these Rules may now be applied.]

Inferior servants, sowars, armed or organised peons including jamadars and other ranks, lascars, boatmen, artificers, laborers, and menials are to have no claim to such provision.

Section 2.—With the exception of Native Judges and Law Officers, the applicant must have been employed in the Public Service for a period of at least twenty years.

Section 3.—The Public Servant, whatever may have been the period of his service, must be incapacitated for further employment, by old age, protracted ill-health, loss of sight, or other bodily or mental infirmity.

Section 4.—The character, conduct, and past service of the Public Servant must be favorably certified by the Officer or Officers under whom he may have been employed, and must appear to be such as to entitle him to the favorable consideration of Government.

Section 5.—Whenever it may be judged expedient to grant a pension to a Public Officer whose case may come within the foregoing provisions, the amount of the pension shall be limited as follows:—

Clause 1st.—If the period, during which the individual may have been actually

employed in the Public Service, shall be more than twenty years, but less than thirty years, the amount of the pension shall not exceed one-third of the monthly Salary or authorised Official Allowances of such individual, calculated on an average of five years previously to the date of application for such pension.

Clause 2nd.—If the period of Actual Service shall have been thirty years or upwards, the amount of the pension shall not exceed one-half of the Salary or Authorised allowances of the individual, calculated in manner above stated.

1. Pension may be awarded on this scale to persons thrown out of employ by reduction of establishment, without their being required to produce medical certificate.

2. In a despatch from Court of Directors, No. 18, dated 5th May 1854, the following further Rule is prescribed :—

"We authorise you to grant to any Uncovenanted Servant belonging to a class recognised by the present Rules, who, though not possessed of medical certificate of incapacity, may be permitted to retire from the service, and who can produce unquestionable testimonials of a faithful, efficient discharge of his duties during a period of 35 years, a pension equal to half the average salary which he may have received during the last five years of his service. These pensions are to be regarded as the rewards of good service; they will not, in any case, be claimable as of right, and every pension which you may see sufficient reason to grant, must be reported to us, with a statement of the grounds of your proceeding."

RULES REGARDING SERVICE.

3. The period of service must be continuous, but a break between two periods of employment, if it does not exceed twelve months, and was not caused by dismissal from office for misconduct, will not prejudice the Officer in whose service it occurs.

4. To the following extent, leave counts as actual service :—

(*a*).—All leave taken before the Uncovenanted Service Leave Rules of 1856.

(*b*).—The following leave taken under the Rules of 1856 :—
Two out of three years obtainable on medical certificate.
Leave subsidiary to leave on medical certificate.
Privilege leave.
Leave on private affairs on half-pay.

(*c*).—Leave during recess on half-pay granted to Native Surveyors in the Revenue Survey Department, Bengal, North-Western Provinces, and the Punjab.

5. Service before the attainment of 16 years of age does not qualify for pension.

RULES FOR CALCULATION OF PENSION.

6. "Authorised Official Allowances" include the following :—

(*a*).—House-rent Allowance, or value of official residence.

(*b*).—Personal Allowance given as compensation for reduction of salary.

The following are not included :—

(*a*).—Personal Allowances otherwise than as above.

(*b*).—Horse and Tent allowances.

Clause 3rd.—For Law Officers and Native Judges, the period of 15 years shall be substituted for that specified in Clause 1st, and 22 years for the term mentioned in Clause 2nd.

1. This Rule applies also to Principals and Head Masters of Colleges and Schools, and also to Inspectors and Professors.

2. The concession granted by the Rule applies only to cases where the whole of the prescribed period of service has been rendered in the privileged capacities.

3. Law Officers are a class which now no longer exists. The designation "Native Judges" applies to officers in such positions as Subordinate Judge and Munsif. Goung-gyoups in Burma are also "Native Judges." Magistrates of Police, and Judges of Small Cause Courts are not "Native Judges;" but a "Native Judge" transferred to be a Judge of a Small Cause Court will retain his privileges.

Clause 4th.—The rates of pensions shall be fixed on a graduated scale, within the prescribed limitations, with reference to the responsibility and ar-

duousness of the employment, the degree of merit of the individual, and the nature and length of his service.

1. The limit of pension in ordinary cases is Rs. 5,000 a year; but this is subject to the Rules under Section 72 of the Code.

2.

NOTE.—Wherever, in the following Resolution, a pension is stated in sterling, the equivalent in rupees is meant, at 2*s.* the rupee, which had been, at that time, for several years, the fixed rate of exchange for the adjustment of financial transactions between the Imperial and Indian Governments.

Resolution by the Government of India, Financial Department,— No. 1555, dated 1st July 1870.

As considerable misapprehension exists in regard to the limitations of pensions of Uncovenanted Servants, both under the old and the new Rules, the Governor General in Council is pleased to issue the following Resolution:—

RESOLUTION.—Up to 1855 the pensions admissible under the Uncovenanted Service Pension Rules were not formally limited within any maximum amount.

2. On 19th May 1855, the Government of India published a despatch of the Court of Directors, which limited pensions for Uncovenanted Servants, appointed after that day, to £500 a year if their pay exceeded Rs. 1,000 a month, or to £400 a year if their pay ranged from Rs. 700 to Rs. 1,000 a month. This limitation applied alike to the one-third pay pension and to the half-pay pension.

3. In 1862, with reference to the increasing number of well-paid appointments which were being thrown open to the Uncovenanted Service, the Government of Bombay recommended that the class who, in the opinion of that Government, were exempt from the foregoing limitation, *viz.*, those Uncovenanted Servants who had been appointed to the Government service before 19th May 1855, should, on promotion to an appointment the salary of which is Rs. 10,000 per annum, be called upon to renounce formally any claim to pension beyond the sum of £500 per annum.

4. The Government of India agreed with the Government of Bombay as to the propriety of the limitation, but demurred to the proposal for exacting a formal renunciation of title to a pension exceeding £500 a year from those admitted into the service before 19th May 1855, who might be offered promotion to a salary

Appendix B2.—Resolution dated 1st July 1870.

amounting to, or exceeding, Rs. 10,000 a year. Hesitation was felt on the following grounds, *viz.*,—

I.—That if a right to a pension exceeding £500 a year ever existed under the Pension Rules of 1831, in favour of those appointed to the service before 19th May 1855, it would be a "doubtful proceeding" to refuse "promotion to a deserving officer, unless he will consent to abandon that to which, it is assumed, he has a right under the existing Rules."

II.—That no such right existed under the Rules of 1831; inasmuch as those Rules did not pledge Government to any particular *amount* of pension, but merely prescribed that the pension should not exceed a certain fixed proportion of the effective pay of the applicant, and that, accordingly, it was within the competence of the Government to define specifically by subsequent Rules, as was done on 19th May 1855, the precise amount within the limit of the prescribed proportions of effective pay, which should not be exceeded in awarding pension.

III.—That, in this view, the wording of the order of 19th May 1855, which applied the limitation mentioned in the 2nd paragraph of this Resolution to those only who might be appointed to the service after 19th May 1855, was unhappy; inasmuch as no specific rate of pension had ever been guaranteed to those appointed before that date.

5. Accordingly, the Government of India inclined to think, "notwithstanding the difficulty caused by the proceedings of 1855 * * that, even now, it will be better that the Government should assert its right to alter the Rules of 1831 as regards all appointments clearly not embraced* by the original intention of those Rules, and to declare such alteration applicable to all Uncovenanted Servants, whether they entered the public service before 1855 or since.

6. "But if this be done, it may be right, having regard to the expectations which must naturally have been created by the order of 1855, to allow the full advantage of the Rules of 1831 with respect to all appointments *made up to the present time*,† and held by officers who entered the public service before 1855. Thus, such an officer, already holding an appointment of Rs. 1,500 a month, will, on superannuation after 20 or 30 years' service, according to the class of appointment, be able to claim a pension of £900 a year; but he will not, if hereafter promoted to higher emoluments, be able to claim a still larger pension calculated on those higher emoluments."

* *i. e.*, Appointments on salaries exceeding Rs. 600, 700, or 800 a month.
† 6th August 1862.

7. This reference was submitted to the Secretary of State quite apart from a Memorial from Uncovenanted Servants praying for increased pensionary advantages. The Secretary of State, however, answered this reference and the Memorial in the same despatch.

8. In reply to the Memorial, he conceded certain additional benefits, but qualified them by a condition that pensions should be limited as follow, *viz.*,—

1st.—That half-pay pensions should not exceed £500 a year, whatever the amount of salary, or £400 a year, when the salary does not exceed Rs. 12,000 per annum.

2nd.—That one-third pay pensions should not exceed £300 a year, whatever the amount of salary, or £200 a year, if the salary shall not exceed Rs. 12,000 per annum.

These form a part of the new Rules.

9. In reply to the reference from the Government of Bombay, regarding pensions beyond £500 a year to those who were in the service on 19th May 1855, the Secretary of State decided that, "under the existing Pension Rules an Uncovenanted Servant is not entitled to claim a pension of the full amount, which is only authorised as the reward of approved service; and, when the Rules were framed, it could not have been contemplated that a larger pension than £500 per annum could.

Para. 23 of despatch dated 8th December 1862.

10. "Under any circumstances, therefore, the full pension should only be awarded in cases of extraordinary merit.

Para. 24 of despatch dated 8th December 1862.

11. "With this reservation, therefore, I concur in the expediency of the propositions* made by you, which must be invariably acted upon as regards promotion subsequent to this† date, and a Clause to that effect should be included in the new Rules.

Para. 25 of despatch dated 8th December 1862.

12. The 23rd and 24th paragraphs of the Secretary of State's despatch of 8th December 1862 (paragraphs 9 and 10 of this Resolution) were published; but, paragraph 25 not having been published, a Memorial was submitted asking for an interpretation of the published paragraphs. In forwarding this Memorial, the Government of India explained that "the recommendation which the Government of India submitted on this point was, that those officers who entered the service before the 19th of May 1855 should be allowed, in respect of all appointments made previously to the time of the reference, a pension at the full rate allowed by the Rules of 1831, *whether more or less than* £500 *a year*; but that persons appointed to highly-paid offices subsequently to this date (*i.e.*, the time of writing) should be limited as to the amount of

* Paragraph 6 of this Resolution.
† 8th December 1862.

pension by the Rule which fixes the maximum pension at £500 a year. The Government of India then contemplated a more liberal application of the Rules of 1831 as regards the class of servants referred to than would be admissible under a strict interpretation of the 24th paragraph of your despatch."

13. The reply of the Secretary of State, which was published with Notification No. 1523, dated 19th March 1864, was as follows:—

"I have considered in Council your Financial letter dated the 13th October 1863, No. 127, forwarding a Memorial from certain Uncovenanted Officers at your Presidency, requesting an interpretation of paragraphs 21 to 25 of my Financial despatch, dated the 8th December 1862, No. 205, which relate to the limitation of pensions to Uncovenanted Servants to £500 per annum.

"2. In the letter from your Government, dated the 6th August 1862, No. 111, you stated that the Uncovenanted Service cannot claim to have any rights under the Rules of 1831 beyond what may be considered to arise out of the general pledge which those Rules may be taken to give, that a member of that service, when rendered incapable of further duty, shall not be discharged without some pensionary support. As regards the amount of pension to be given, the Rules merely fix a limit which is not to be exceeded; and although it has, with rare exceptions, been the practice to allow the highest pension of which the Rules allow, this practice cannot be admitted to confer on the Uncovenanted Service any right to claim that maximum in all cases, without any regard whatever to the original design and scope of the Rules.

"3. In that view, Her Majesty's Government fully concurred. It was, therefore, decided that Uncovenanted Servants appointed prior to the 19th May 1855 (the date of the Court's despatch limiting pensions to £500 per annum), whose average salary during the last five years of their service shall have exceeded Rs. 10,000 per annum, and also those who were promoted prior to the 6th August 1862 (the date of the letter from the Government of India relative to the limitation of pensions to Uncovenanted Servants) to offices to which salaries exceeding Rs. 10,000 per annum are attached, shall, if their average salary during the last five years of their service exceed that amount, be allowed, in cases of extraordinary merit, pensions exceeding £500 per annum, the amount of excess to be governed by the merits and services of the retiring servant, and to be limited to an amount consistent with a due regard to the public interests. In regard to Uncovenanted Servants who have rendered approved services of only an ordinary character, the pension must, in no case, exceed £500 per annum.

"4. An Uncovenanted Servant promoted subsequently to the 6th August 1862 to an office to which a salary exceeding Rs. 10,000 per annum is attached, is not to be granted an increased pension in consequence of the increase to his salary." (*Secretary of State, No. 20, dated 9th February 1864.*)

14. This reply did not embrace the cases of persons appointed before 19th May 1855, whose salaries, at the time of retirement, may be less than Rs. 10,000 per annum. In respect of such persons it was urged by the Government of India, in a despatch to the Secretary of State, No. 31, dated 5th February 1868, that, inasmuch as the orders of the 9th February 1864 "recognise the claim to a pension of Rs. 5,000 per annum, or one-half of salary, on the part of an Uncovenanted Servant whose average salary for the last five years of service is Rs. 10,000 per annum, Uncove-

nanted Servants with salaries of less than Rs. 10,000 per annum, who were appointed before the 19th May 1855, might be allowed one-third or half-pay pension, irrespective of the limits laid down in the new Pension Rules, which may be restricted to the cases of Uncovenanted Servants appointed after the 19th May 1855."

15. The Secretary of State, however, in a despatch No. 400, dated 18th November 1869, negatived the recommendation, observing that there was no ground "for excepting Uncovenanted Servants with salaries of less than Rs. 10,000 per annum from the Rules applicable to Uncovenanted Servants with salaries exceeding that amount;" and added, that "if, in any particular case of a servant whose salary is less than Rs. 10,000, you should consider that unusually meritorious service calls for a relaxation of the restriction contained in the Rules, I shall be prepared to consider any recommendation you might make for the grant of special pension, as already allowed in regard to servants with higher salaries."

16. Three other classes of officers have been exempted from the limitations of the half and one-third pensions prescribed by the new Pension Rules, *viz.*,—

I.—In a Despatch No. 84, dated 31st March 1865, the Secretary of State ruled that "Civil Engineers who entered into covenants when the old Uncovenanted Leave and Pension Rules were in force" might be allowed "the benefit of those Rules in regard both to leave of absence and pension, and any Covenanted Engineer so situated may, therefore, have the option of selecting which Rules he will abide by; but, having once made his selection, he is not to be permitted to avail himself of any of the advantages of the other Rules."

II.—In Financial Resolution No. 1852, dated 16th August 1865, the benefit of the foregoing decision was extended to certain officers of the Telegraph Department who had executed their covenants before the publication, in June 1863, of the new Uncovenanted Service Leave and Pension Rules.

III.—Under an impression that the classes of officers who in the old Pension Rules were designated as Law Officers and Native Judges had ceased to exist, the Secretary of State, in a Despatch No. 290, dated 23rd December 1865, declared the new Rules applicable to all Uncovenanted Officers in the Judicial Department. In reply, the Government of India explained that the term Native Judges included Principal Sudder Ameens, Sudder Ameens, and Munsifs, and that to these the old Rules assured a pension equal to one-third salary after 15 years' service and equal to one-half after 22 years' service, when the applicants were certified to be unfit for further duty. Thereupon the Secretary of State observed, in his Despatch No. 174, dated 31st July 1866, that "it was not understood that the exceptional advantages granted by the old Uncovenanted Service Pension Rules to 'Native Judges' extended to Native Judicial Officers of other grades." So far as relates to any who can be considered entitled to benefits granted by the old Rules to officers of that class, I am willing that they shall still be considered eligible to the pensions allowed by those Rules; but, with reference to all future appointments, I see no ground for making a distinction between Native Judges and the general body of Uncovenanted Servants, for whom the new Rules make liberal provision."

Appendix C1.—Extracts.

The despatch of the 31st July 1866 was published by the Government of India on the 29th October 1866.

17. The Rules therefore regarding the limitations of the amount of pensions of Uncovenanted Servants may be thus summarised :—

I.—The limitations prescribed by the Uncovenanted Service Pension Rules of April 1864 in regard to one-third and one-half pensions do not apply to Uncovenanted Servants of the three classes noted in the margin. Ordinarily the limit of pension for these classes of servants will be £500 per annum. In cases of extraordinary merit, Uncovenanted Servants of the first of the said classes may be allowed pensions exceeding £500 per annum, the amount of excess to be governed by the merits and services of the retiring servant, and to be limited to an amount consistent with a due regard to the public interests.

1. Officers who entered the Service before 19th May 1855, or were promoted before 6th August 1862 to salaries exceeding Rs. 10,000 a year, and whose average salary during the last five years of service exceeds that sum.
2. Covenanted Civil Engineers in the Public Works Department, and certain civil Covenanted Officers of the Telegraph Department, who entered the Service before the promulgation of the new Rules, and have elected to abide by the old Pension Rules.
3. Native Judges who were in the Service on the 29th October 1866.

II.—In all other cases the pensions of Uncovenanted Servants are subject to the limitations of the new Pension Rules of 8th June 1863 and 13th April 1864, but, for "unusually meritorious services," special pensions may be allowed by the Secretary of State to any appointed before 19th May 1855.

APPENDIX C.

EXTRACTS.

1.

From the letter of the Government of India in the Financial Department, to the Government of Bengal,—No. 3177, dated 31st August 1871.

* * * * *

4. The references made in your letter to a proposed formation of a Pension Fund by deduction from salaries, probably arise from

the orders in this Department, No. 940, dated 16th June 1870, which contained, as models, certain Rules proposed by the Government of Bombay for the constitution of an Educational Pension Fund there.

5. The Government of India, on a reconsideration of the whole subject, is disposed to withdraw the approval which it then expressed of the scheme set forth in these Rules. There is an almost entire absence of data on which to estimate the amount of deduction which would be necessary to render such a Fund solvent; such calculations as can be made render it extremely doubtful whether five per cent. is nearly enough to cover the contingent charge; and it is of course out of the question to guarantee from Imperial Revenues the solvency of any such Fund. A Pension Fund formed by deduction from salary is, perhaps, objectionable also on another ground, namely, that it, to a certain extent, unnecessarily fetters the hands of the employer.

6. In the case, therefore, of Local Funds which will, beyond a doubt, be able, without embarrassment, to meet the pensionary claims of employés, it seems to the Government of India that it would be best, should the Local Government think proper to grant to the employés a right to pension, to leave the pensionary claims to be met when they arise. And in the case of Local Funds regarding whose position there is not the same absence of doubt, it would appear to be the wiser course to abstain from making any absolute promise of pension. The ability of such Funds to provide any pensions which, on special grounds, it may be deemed desirable to grant, can be more easily determined when the claim is presented for consideration, than it can be at a time antecedent, by many years, to the actual accrual of the charge.

7. It might even be a matter for the consideration of the Local Government whether, considering the peculiar constitution of Local Funds, it would not be well, especially in the case of such as are of uncertain solvency or stability, to credit to a separate account the capital value of any pension granted. The necessity of providing at once the entire value of a pension, instead of throwing the charge forward upon future years, would perhaps afford a useful check against indiscriminate recommendations by those who have the management of the Funds.

2.

From Resolution of the Government of India, in the Financial Department,—No. 4359, dated 14th October 1871.

The position of the Government of India, and the difficulty experienced by Native States and public bodies in obtaining competent Officers without its assistance, frequently render it necessary

for the Government, for political or for public reasons, to transfer its officers to service paid for from sources other than its own revenues. Such transfers would, as a general rule, be impossible if the condition were insisted on, that the Officer transferred should give up his privileges as an Officer in the service of the Government of India; and, in the papers above read, the question is discussed what financial arrangements are proper to be made in the case of Officers of Government lent to, or transferred to service paid by, Native States, Municipalities, and other bodies financially independent of the Government of India, such as Courts of Wards, Port Trust, &c., and permitted at the same time to retain their privileges as servants of the Government of India.

2. The remuneration of Officers of Government may be thus classified,—

Immediate,—Their pay and allowances while on duty;
Contingent,—Their absentee allowances;
Deferred,—Their pensionary allowances;

and such Officers when lent to Native States, &c., though they obtained their "immediate" remuneration from the State or Fund at the charge of which they are employed, look, for the most part, to the Government of India for their "contingent" and "deferred remuneration.

3. It may sometimes be expedient, for special reasons, that the Government of India should bear such charges; but, as a rule, it is not so; and it is necessary to prescribe the conditions which should be imposed, so that such charges may be avoided, unless the Government, for special reasons, accepts them.

4. The Government of India have accordingly resolved to require, on account of every Officer lent or transferred to a Native State, or a Municipality, or other financially independent body, who is permitted to retain his position in relation to the service of Government, and his claims to absentee and pensionary allowances under the Rules of the Service to which he belongs, and with regard to whom the exemption contemplated in paragraph 3 is not declared, a contribution proportional to the salary which he receives, and regulated on the following principles.

5. In the first place, it is to the Officers themselves, and not to their employers, that the Government will look for the contribution required; any other course would be productive of difficulty and inconvenience.

6. In the second place, a calculation founded upon such data as are available shows that the cost to Government of the charges above classed as contingent and deferred, excluding, however, privilege leave allowances, is about one-quarter of the amount actually disbursed in the form of "immediate" remuneration.

* * * * *

13. In the case of Covenanted Civil Servants, the contribution of one-fifth required by this Resolution includes the four per cent. deduction to the Annuity Funds which will not be separately levied. The amount of the contribution to be credited to the Annuity Fund is 3½ *per cent.* of the full nominal pay and acting allowance, being one twenty-fourth part of the amount retained by the Officer after deduction,* This proportion, being one-sixth of the entire contribution, will be credited to the Annuity Funds so long as they are maintained.

* *i. e.*, the same as 4 per cent. retained out of 100.

3.

Extract from Resolution of the Government of India, in the Financial Department,—No. 1586, dated 22nd March 1871.

The Governor General in Council has had under consideration the question of how to guard against fraudulent claims to pensionary allowances being put forward by strangers after the actual incumbents are dead.

2. The chief protection against such claims must be the careful testing by the Disbursing Officer of each claim at the time it is presented.

3. But it seems advisable also that statistical information regarding pensions should be kept up; and, for this purpose, His Excellency in Council is pleased to direct that; from every office where pensions are disbursed, Returns in the annexed Form shall annually be made to the Account Office to which it is subordinate:—

(1).—For pensions not exceeding Rs. 10.
(2).—For pensions exceeding Rs. 10, and not exceeding Rs. 50.
(3).—For pensions exceeding Rs. 50.

4. The Account Officers should scrutinise the information thus received, in order that enquiry may be at once made where any remarkable longevity appears, or where any other anomalous features present themselves.

5. His Excellency in Council is well aware that there is great difficulty in exercising a check by such means on the action of local Officers. The instances in any single Disbursing Office are necessarily too few to warrant the assumption that their departure from mathematical regularity requires any special explanation; and, on the other hand, in the compilation of the figures of several

Offices, the effects caused by the perpetration of frauds in any one would probably disappear in the mass.

6. But while His Excellency in Council, in view of this difficulty in supervising this particular part of their work, confidently expects at the hands of local Officers extreme caution in dealing with claims to pension, he does not doubt that the information contained in the Forms now prescribed will be found, in both central and local offices, to be of great value.

STATUTE 35, VICTORIA, CAP. 12.

An Act to amend an Act of the fourth and fifth years of King William the Fourth, Chapter twenty-four, intituled "An Act to alter, amend, and consolidate the laws for regulating the pensions, compensations, and allowances to be made to persons in respect of their having held civil offices in His Majesty's Service.

(13th May 1872.)

Whereas by an Act passed in the Session holden in the fourth and fifth years of King William the Fourth, Chapter twenty-four, "to alter, amend, and consolidate the laws for regulating the pensions, compensations, and allowances to be made to persons in respect of their having held civil offices in His Majesty's Service," it is provided, amongst other things, "that in case any person enjoying any superannuation allowance in consequence of retiring from office on account of age, infirmity, or any other cause, or enjoying any compensation for past services, upon the abolition or reduction of office, shall be appointed to fill any office in any public department, every such allowance or compensation shall cease to be paid for any period subsequent to such appointment, if the annual amount of the profits of the office to which he shall be appointed shall be equal to those of the office formerly held by him; and in case they shall not be equal to those of his former office, then no more of such superannuation allowance or compensation shall be paid to him than what with the salary of his new appointment shall be equal to that of his former office."

And whereas doubts have lately been entertained as to whether the expression "office in any public department" as used in the abovementioned provisions extends to public departments in any part of Her Majesty's dominions beyond the limits of the United Kingdom.

And whereas it is expedient to remove such doubts:

Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords, Spiritual and Temporal,

and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Explanation of Section twenty of 4 and 5 W. IV, c. 24.

1. It is hereby declared that the expression "office in any public department" as used in the above-mentioned provision of the said Act extends, and shall, from the date of the passing of the said Act, be deemed to have extended, to any office in any public department in the British possessions.

Definition of colony.

2. In this Act, "British possession" shall include any territories for the time being vested in Her Majesty by virtue of any Act of Parliament for the Government of India; also any colony, plantation, island, territory, or settlement within Her Majesty's dominions, and not within the United Kingdom.

Short title.

3. This Act may be cited for all purposes as "The Superannuation Act, 1872."

APPENDIX D.

OFFICERS TRANSFERRED TO FOREIGN SERVICE BEFORE THE 14TH OCTOBER 1871.

Before 14th October 1871, the date of the promulgation of the Rules in Chapter VII, Foreign Service did not ordinarily qualify, as it did not satisfy the first and third conditions of qualifying service. Unless specially exempted, or unless their case fell within one of the Special Rules stated beneath, Officers, not being Covenanted Civil Servants or Officers of the Army, who accepted such service, ceased to have any claim on the Government of India in respect of pensions or gratuities, Except as provided in Rule 9 under Section 46, the Rules in Chapter VII do not affect the position of these Officers, and they must abide by the conditions under which they left the regular service. In the same way, Officers who may transfer their services in future will have no claim, unless the transfer is such as is provided for in Chapter VII.

Special Rules in force before the 14th October 1871.

I. Officers transferred by competent authority to service under Natives States, for a purpose in which the Government is interested, count their service as if it were under the Government of India.

Appendix D.

The following cases are within this Rule:—

(*a*).*—Teachers transferred to the service of the Chamba State. In this case the pension is paid by the Government of India and the Raja of Chamba, according to the Rule of Proportions.

(*b*).*—Officers transferred to service in the Kolhapúr School; the pension being chargeable, according to the Rule of Proportions, to the Government of India, and to a Fund formed by a contribution, proportional to salary, paid by the Chief of Kolhapúr.

(*c*).—Officers transferred, under the authority of the Government of the Punjab, to service under the Bhawalpúr State. In this case, the charge for the pension will be shared by the Bhawalpúr State according to the Rule of Proportion.

(*d*.)—Assistant Opium Agents in Independent Native States, whose pay is found by the Native States.

2. Subordinates in the Revenue Survey, temporarily lent to Municipalities, for duty which, though paid for by them, also promotes imperial interests, count their service as if it were under Government.

3. Medical Officers lent to charitable dispensaries or hospitals in British India, count their service as if it were under Government.

4. Officers transferred, on or after 23rd April 1863, by the authority of Government, or their official superiors, from qualifying service under Government, to service of the following descriptions, count their service as if it were paid from the General Revenues:—

Service under the Court of Wards.
Service in Jágír States in Bombay.
Service under the Talukdari Settlement Officer in Bombay.

Provided that six per cent. of the salary be contributed to the Government of India, either by the Officer himself, or from the Funds whence the salary is paid. This proviso has effect from the 9th November 1870, in the case of service under the Court of Wards, and from the 6th July 1871, in the case of service in Jágír States or under the Talukdari Settlement Officer.

[NOTE.—In the Madras Presidency an Officer transferred before 21st August 1862 from qualifying service to service under the Court of Wards, counts service under the Court of Wards rendered before that date as if it were under Government.]

* Applies to transfers before the 22nd October 1875.

APPENDIX E.

MEMORANDUM OF PENSION-VALUES OF CIVIL PENSIONERS.

The compilation of a table for showing the capital value of pensions depends upon two data,—namely, the rate of mortality and the rate of interest.

2. I shall take these two separately, and first discuss the data as to rate of mortality.

3. Observations of native life are extremely few, so few indeed that those Assurance Companies in Calcutta which accept risks on native lives do not base their calculations on any data regarding native life. One office adopts European military rates, and two others take a certain percentage in addition to European civil rates, as the basis of assurance on native lives. If we were to follow them, we should simply adopt for native rates of mortality something in excess of European rates.

4. The only regular investigation regarding native life which, so far as I know, has been made, was the work of Dr. Robert Haines, a Surgeon in Bombay, who made elaborate enquiries on the subject, on the basis chiefly of military records, and whose papers were purchased by the Government of Bombay in 1867.

5. The following is a summary of the rates of mortality that resulted from his investigations, to which I have added, for purposes of comparison, the rates observed in the Bengal Uncovenanted Service Fund :—

AGE.	35–39.	40–44.	45–49.	50–54.	55–59.	60–64.	65–69.	70–74.	75–79.	80–84.	85–89.	90–
A.—Civil Pensioners. Warden's Official Fund, chiefly clerks.	·667		1·405	2·651	2·561	2·518	5·301	4·126	3·514	1·676	1·156	2 410
B.—Civil Pensioners, chiefly clerks, superannuated on medical certificate.	4·	7·042	10·236	3·697	4·138	5 138	2·794	8·151	4 474	9·929	3 226	7·895
C.—Native Military pensioners, and a few others.	1·920	2·760	3·764	4·319	5·200	6·554	8·318	9·831	11·750	12·324	14 199	20 455
D.—Uncovenanted Service Fund, (Mr. Woodrow's figures.)	1·78	2·12	2 94	3 99	4·15	7·28	8·45					

Of these series of results, the first (marked *A*) and the second (marked *B*) are based upon observations of only 140 and 164 deaths respectively, so that the area of observation is not wide enough to

enable us to accept them with any confidence. This is especially the case with the ages above 80, where, in the first case, the observations were confined to five deaths in an average of about twenty persons alive each year.

6. The series marked *C* has a much wider area of observation, 6,355 deaths having occurred among the cases observed; the regular gradation of the results also shows that the area has been sufficiently large to eliminate departures from the average. They may, in my opinion, be accepted as a good guide in the cases to which they immediately apply,—namely, native military pensioners in Bombay: the only question is, whether the circumstances of native civil pensioners in Bengal are sufficiently similar to those of native military pensioners in Bombay, to warrant us in accepting statistics affecting the latter, as a guide towards conclusions affecting the former.

7. I recently had occasion to make a close comparison between the actual deaths occurring among the civil pensioners in Bengal during the years 1871-72 and 1872-73, and the number of deaths that might be expected according to the rates of the series *C* just mentioned. I quote here the results of the comparison, and my observations regarding them.

"The following is a summary of the whole of these statistics:—

Description of Pensioners	Rate of pension	Number	Actual mortality.	Expected mortality.
India ..	All . .	204	25	24·5
Bengal, Mofussil	Under Rs. 10	500	82	66·
	Under „ 50 ...	357	38	44·5
	Over „ 50 ..	105	28	14·
Bengal, Calcutta ..	Under „ 10 ..	83	9	9·5
	Under „ 50	186	16	24·
	Over „ 50 .	99	11	13·5
Marine	All	69	4	6·
	Total ...	1,603	213	202

"I think, therefore, that it is a pretty fair conclusion that, so far as can be judged from information and calculations so rough in their nature, the mortality rates, with which we above started, are not far from the average applicable to the case. It is worthy of remark that the younger pensioners show a tendency to excessive mortality (compared with our initial figures), which is easily accounted for by the fact that they are, by the nature of the case, mostly invalids; and that, as we might have expected, the pensioners of the class between Rs. 10 and Rs. 50 seem to be more healthy than those on higher or on lower pensions."

Appendix E.

8. A similar examination of the Bombay pension returns for 1870-71 till 1872-73, three years, gave—

Rate of Pension.	Number.	Actual mortality.	Expected mortality.
Under ... ... Rs. 10	1,780	337·	325·1
Do. ... ... „ 50	639	126·	108·6
Over ... ... „ 50	210	35·	37·
All ...	2,629	498	470 7

the excess of actual mortality occurring chiefly at the ages under 50 and above 75.

9. It seems to me therefore that, pending further observation, we should base our mortality tables upon the rates which we have thus examined. It is necessary, however, to make an alteration in respect of the earlier ages. Pensioners in the Civil Department, of ages 35 to 50, are for the most part invalids, and therefore have necessarily a comparatively high rate of mortality. On this ground, therefore, I have taken the rate for these ages at 4 per cent., instead of at 1·920, 2·760, and 3·764.

10. The second of the data is the rate of interest to be allowed; and this is a matter for the decision of the Government of India, as the capitalised value is to be received by it, and the interest to be given by it. I know, however, that, in a similar case, where the Government of India consented to receive money for annuities, simply at a fair rate of interest, without giving any privilege or donation of any kind, it fixed 3¾ per cent. (the present Savings Bank rate) as the rate which it would give. I take this rate, therefore, as the basis on which to make the calculation.

11. The calculation and the result are shown in Table A appended.

12. In actual practice the values received from Local Funds on account of pensions granted will be credited direct to Government, and the pensions will form a direct charge upon the Government; but, if accounts are kept up *pro formâ*, in which the amounts received are credited, and the amount of pensions paid are debited, and a sum equal to 3¾ per cent. interest upon the nominal balance credited each year, these accounts will afford an easy means of testing whether the rates of mortality have been so taken as to give fair valuation rates. If the actual mortality corresponds with our estimated rates, the balance of the account should always be equal to the aggregate value of the pensions still outstanding, the values being calculated from the appended table according to the ages on the date of the valuation. If the actual mortality be less, the balance will be less than the value; and if a

decided tendency in this direction should be observed, it will be necessary to revise the rates in favour of the Government. If the actual mortality be greater, the balance will exceed the value, and any marked excess would similarly suggest a revision of the rates in favour of the contributory Local Funds.

13. A small table (Table B) is appended, which may be useful for the conversion of lump payments into monthly payments lasting for a given number of years. The monthly payments thus reckoned are absolute, and are not dependent upon any life.

14. It should be added that the results which are shown in these tables involve no margin for safety, or for working expenses, no allowance of any kind being made in favour either of the payers or of the receivers of the pension-values. I have confined myself entirely to the question of exact valuation upon data which involve no margins.

November 1875. J. WESTLAND.

Table A.—Calculation of present value of a monthly pension.

Age.	Probability of dying in one year.	Probability of living one year.	Logarithm of ditto with interpolations	Logarithm of No living l_x	Logarithm of v^x	Logarithm of $D_x = l_x v^x$	D_x	N_x	Logarithm of N_x	Logarithm of $\frac{N_x}{D_x}$	Value of annuity.	Adjusted value.*	Value of Pension of Re. 1 a month. Rs. A. P.
35	...	..	9·9823	4·0000	9·4404	3·4404	2757	31893	4·5037	1·0633	11·569	12·036	144 6 11
36	...	—	9·9823	3·9823	·4244	·4067	2551	29342	·4675	·0608	11·503	11·967	143 9 8
37	·04	·9600	9 9823	·9646	·4084	·3730	2360	26982	.4311	·0581	11·431	11·892	142 11 3
38		—	·98.3	·9469	·3924	·3393	2184	24798	·3944	·0551	11·353	11·811	141 11 9
39	—	...	·9823	·9292	·3764	·3056	2021	22777	·3575	·0519	11 269	11·724	140 11 0
40	—	—	·9823	·9115	·3605	·2720	1871	20906	·3203	·0483	11 176	11·626	139 8 2
41	—	..	·9823	·8938	·3445	·2383	1731	19175	·2827	·0444	11 076	11·523	138 4 5
42	·04	·9600	·9823	·8761	·3285	·2046	1602	17573	·2448	·0402	10·970	11·413	136 15 4
43	...	—	·9823	·8584	·3125	·1709	1482	16091	2066	·0357	10 857	11 294	135 8 5
44	..	—	·9823	·8407	·2965	·1372	1372	14719	·1679	·0307	10 732	11·164	133 15 6
45	—	..	·9823	·8230	·2805	·1035	1269	13450	·1287	·0252	10·597	11·025	132 4 10
46	...	...	·9823	·8053	·2645	·0698	1174	12276	·0891	·0193	10 454	10 875	130 8 0
47	·04	·9600	·9823	·7876	·2485	·0361	1087	11189	·0488	·0127	10 297	10·712	128 8 8
48	...	...	·9820	·7699	·2325	·0024	1006	10183	·0079	0055	10 128	10·540	126 7 8
49	—	...	·9817	·7519	·2165	2·9684	929·8	9253	3·9663	0·9979	9 952	10·359	124 4 11
50	...	...	9814	·7336	·2006	·9342	859 5	8392	·9239	·9897	9·766	10 171	122 0 10
51		..	·9811	·7150	·1846	·8996	793·6	7599	·8808	·9812	9·576	9·977	119 11 7
52	·0432	·9568	·9808	·6961	·1686	8647	732 3	6867	·8368	·9721	9·378	9·774	117 4 7
53	...	...	·9800	·6769	·1526	·8295	675 3	6192	·7918	·9623	9·169	9·566	114 12 8
54	—	...	·9792	·6569	·1366	·7935	621·6	5570	·7459	·9524	8·962	9·358	112 4 9
55	...	—	·9784	·6361	·1206	7567	571·1	4999	·6989	·9422	8·754	9 150	109 12 10
56	...	...	·9776	·6145	·1046	·7191	523·7	4475	·6508	·9317	8·545	8 940	107 4 6
57	·0520	·9480	·9768	·5921	·0886	·6807	479·4	3996	·6016	·9209	8·335	8·729	104 12 0
58	—	—	·9756	·5689	·0726	·6415	438 0	3558	·5512	·9097	8·123	8 519	102 3 8
59	—	...	·9743	·5445	·0566	·6011	399·1	3159	·4995	·8984	7·914	8·212	99 11 11
60	...	—	·9731	·5188	·0407	·5595	362·7	2796	·4465	8870	7·709	8·109	97 4 11
61	...	—	·9718	·4919	.0247	·5166	328·6	2467	·3922	·8756	7·509	7·911	94 14 11
62	·0655	·9345	·9706	·4637	·0087	4724	296·8	2170	·3365	·8641	7·313	7·716	92 9 6
63	...	—	·9690	·4343	8·9927	·4270	267·3	1903	·2794	·8524	7 119	7·526	90 5 0
64	...	...	·9673	·4033	·9767	·3800	239 9	1663	·2209	·8409	6·933	7·345	88 2 3
65	...	...	·9656	·3706	·9607	·3313	214 4	1449	·1611	·8298	6·758	7 174	86 1 5
66	.	—	·9639	·3362	·9447	·2809	190 9	1258	·0997	·8188	6 589	7·008	84 1 7
67	·0832	.9168	·9623	·3001	·9287	·2288	169·4	1088·8	·0369	·8081	6·428	6 852	82 3 7

68	...	...	·9609	·2624	·9127	·1751	149·7	939·1	2·9727	·7976	6·275	6·700	80	6	5
69	...	...	·9595	·2233	·8967	·1200	131·8	807·3	·9070	·7870	6·124	6·548	78	9	3
70	...	...	·9580	·1828	·8808	·0636	115·8	691·5	·8398	·7762	5·973	6·400	76	12	10
71	...	...	·9565	·1408	·8648	·0056	101·3	590·2	·7710	·7654	5 826	6·254	75	0	9
72	·0983	·9017	·9551	·0973	·8488	1·9461	88·33	501 9	·7006	·7545	5·682	6·110	73	5	2
73	...	...	·9532	·0524	·8328	·8852	76·77	425·1	·6235	·7433	5·537	5·968	71	9	10
74	...	...	·9513	3 0056	·8168	·8224	66·44	358·7	·5547	·7323	5·399	5·833	70	0	0
75	...	...	·9494	2·9569	·8008	·7577	57·24	301·5	·4793	·7216	5·267	5·704	68	7	2
76	...	...	·9476	·9063	·7848	·6911	49·10	252·4	·4021	·7110	5·141	5·580	66	15	4
77	·1175	·8825	·9457	·8539	·7688	·6227	41·85	210·5	·3233	·7006	5·019	5·458	65	7	11
78	...	...	·9451	·7996	·7529	·5525	35·69	174·8	·2425	·6900	4·898	5 333	64	0	0
79	...	...	·9446	·7447	·7369	·4816	30·31	144·5	·1599	·6783	4·768	5·193	62	5	1
80	...	...	·9440	·6893	·7210	·4103	25·72	118·78	·0747	·6644	4·618	5·034	60	6	6
81	...	...	·9435	·6333	·7050	·3383	21 79	96·99	1·9867	·6484	4·450	4·854	58	4	0
82	·1232	·8768	·9429	·5768	·6890	·2658	18·44	78·55	·8951	·6293	4·259	4·650	55	12	10
83	...	...	·9410	·5197	·6730	·1927	15·58	62·97	·7992	·6065	4·041	4·422	53	1	0
84	...	...	·9391	·4607	·6570	·1177	13 11	49·86	·6978	·5801	3·803	4·171	50	0	10
85	...	...	·9373	·3998	·6410	·0408	10·98	38·88	·5897	·5489	3·539	3·890	46	10	11
86	...	...	·9354	·3371	·6250	0·9621	9·164	29·713	·4729	·5108	3·242	3·572	42	13	10
87	·1420	·8580	·9335	·2725	·6090	·8815	7·612	22·101	·3444	·4629	2·903	3·207	38	7	9
88	...	...	·9270	·2060	·5930	·7990	6·296	15·805	·1988	·3998	2·511	2·796	33	8	10
89	...	...	·9204	·1330	·5770	·7100	5·129	10·676	·0284	·3184	2·082	2·338	28	0	11
90	...	...	·9138	2·0534	·5611	6145	4·116	6·560	0·8169	·2024	1·594	1·805	21	10	7
91	...	...	9072	1·9672	·5451	·5123	3·253	3 307	·5196	·0073	1·017	1·161	13	14	11
92	·2045	·7955	·9006	1 8744	·5291	·4035	2·532	0·775	9·8893	9·4858	·306	·749	8	15	10
93	...	...	...	1·3000	·5131	9·8131	0·650	0·125	·0969	·2838	·192	...			
94	...	...	...	0·6000	8·4971	9·0971	0·125	0·000	...	...	..	...			
95	...	...	..	...	...	...	0·000	0·000	...	...	...	...			

* The adjustment is two-fold: *First*, the figures in the column "Value of annuity" show the value at the exact age x, whereas we want for working purposes the value at age x last birthday. This may be taken at the mean between the value at age x and at age $x + 1$. *Secondly*, the value thus given is the value of an annuity defined as a sum payable at the end of each year, provided the recipient is alive at the end of the year; we have to add about ·5 to get the value of the annuity payable monthly up to the date of death.

[NOTE.—To calculate the amount of a temporary life annuity granted under Section 105 the following formula will be employed:—

$$Y = 12\left\{\frac{G}{Ax - Ax+n\frac{Dx+n}{Dx}}\right\}$$

y = amount payable monthly on account of annuity.
G = amount of gratuity.
x = age last birthday.
n = number of years for which the annuity is payable.
Ax and $Ax+n$ are the numbers shown in column headed "Adjusted value" opposite Age x and Age $x+n$ respectively.
Dx and $Dx+n$ are the numbers shown in column headed Dx opposite Age x and Age $x+n$ respectively.]

Appendix E.

Table B.—Showing monthly payments, independent of any life, equal to a present Capital Payment.

Capital Sum.	Monthly Payments.									Capital Sum.
	For 5 years.	For 6 years.	For 7 years.	For 8 years.	For 9 years.	For 10 years.	For 12 years.	For 15 years.	For 20 years.	
100	1·8278	1·5505	1·3527	1·2046	1·0896	·99,8	·8605	·7242	·5897	100
200	3·6556	3·1010	2·7054	2·4092	2·1792	1·9956	1·7210	1·4484	1·1794	200
300	5·4834	4·6515	4·0581	3·6138	3·2688	2·9934	2 5815	2·1726	1·7691	300
400	7·3112	6·2020	5·4108	4·8184	4·3584	3·9912	3·4420	2·8968	2·3588	400
500	9 1390	7·7525	6·7635	6·0230	5·4480	4·9890	4·3025	3·6210	2·9485	500
600	10·9668	9·3030	8·1162	7·2276	6·5376	5·9868	5·1630	4·3452	3·5382	600
700	12·7946	10·8535	9·4689	8·4322	7·6272	6·9846	6·0235	5·0694	4·1279	700
800	14·6224	12·4040	10·8216	9·6368	8·7168	7·9824	6 8840	5·7936	4·7176	800
900	16·4502	13·9545	12·1743	10·8414	9·8064	8·9802	7·7445	6·5178	5·3073	900

TABLE C., *for the capitalisation of pensions by Males and Females.* (This table is in use in England by the Secretary of State for India.)

Value of an annuity of £1 *on a single life according to the Carlisle Table of Mortality, interest being calculated at 5 per cent.*

Age next birthday.	Value.	Age next birthday.	Value.	Age next birthday.	Value.	Age next birthday.	Value.
	£		£		£		£
15 ...	16·227	31 ...	14·617	46 ...	12·480	61 ...	8·712
16 ...	16 144	32 ...	14·506	47 ...	12·301	62 ...	8·487
17 ...	16·066	33 ...	14·387	48 ...	12·107	63 ..	8·258
18 ...	15·987	34 ...	14·260	49 ...	11·892	64 ...	8·016
19 ...	15·904	35 ...	14·127	50 ...	11·660	65 ...	7·765
20 ...	15·817	36 ...	13·987	51 ...	11·410	66 ...	7·503
21 ...	15·726	37 ...	13·843	52 ...	11·154	67 ...	7·227
22 ...	15·628	38 ...	13·695	53 ...	10·892	68 ...	6·941
23 ...	15·525	39 ...	13·542	54 ...	10·624	69 ...	6·643
24 ...	15·417	40 ...	13·390	55 ...	10·347	70 ...	6·336
25 ...	15·303	41 ...	13·245	56 ...	10·063	71 ..	6·015
26 ...	15·187	42 ..	13·101	57 ...	9·771	72 ...	5·711
27 ...	15·035	43 ...	12·957	58 ..	9·478	73 ...	5·438
28 ...	14·942	44 ...	12·806	59 ...	9·199	74 ...	5·190
29 ...	14·827	45 ...	12·648	60 ...	8·940	75 ...	4·930
30 ..	14·723						

SUPPLEMENT A.

COVENANTED CIVIL SERVANTS.

Section 1.—Annuities and Gratuities are granted to Covenanted Civil Servants of the Crown in India under the following Rules.

Section 2.—"Active Service" includes besides time spent on duty in India— Active service.

(*a*). The interval between the date of an Officer's first arrival in India, and the date on which he joins his first appointment.

1. The date of an Officer's first arrival in India is held to be as follows:— Arrival in India.

Before the 31st January 1868;—the date of his actual arrival in India.

From the 31st January 1868 to the 4th May 1869, inclusive;—the date on which he reported his arrival at the capital town of the Presidency to which he was attached; or, if he was attached to the North-Western Provinces, the Punjab, or Oudh, and had permission to enter India *viâ* Bombay, the date on which he reported his arrival at Bombay.

From the 5th May 1869;—

(1)—In the case of an Officer who is posted in England to Upper India, and arrives *viâ* Bombay, and who has been instructed by the Secretary of State to enquire at the Secretariat of the Government of Bombay for any orders as to his ultimate destination,

(*a*) if he receives no orders at Bombay; the date on which he reports himself at Allahabad to the Secretary to the Government of India, in the Home Department, and to the Secretary to the Government of the North-Western Provinces;

(*b*) if he receives orders at Bombay; the date on which he reports his arrival at any Station or Province to which he is attached by such orders.

(2)—In the case of any other Officer; the date on which he reports his arrival at the capital town of the Presidency or Province to which he is attached.

2. If an Officer does not join his first appointment within the Joining Time allowed him, the interval between the end of such

Joining Time and the date on which he actually joins, is not Active Service.

(*b*). Time passed in India, out of employ, on Subsistence Allowance, but not on Furlough.

1. If a Covenanted Civil Servant, on his first arrival in India, is unable from illness to proceed to the seat of the Government to which he is attached, or to any other Station to which he is ordered to proceed direct, the Local Government in whose jurisdiction he is, may, on Medical Certificate, grant to him a Subsistence Allowance of two hundred and fifty rupees a month for not more than two months. Time thus spent is not Active Service.

(*c*). Subsidiary Leave of Absence.

1. "Subsidiary Leave" includes the corresponding Leave (called "Special Leave") under the Covenanted Service Leave Rules in force before the 1st July 1868.

(*d*). Privilege Leave of Absence.

1. "Privilege Leave" includes the corresponding Leave (called "Short Leave on Private Affairs" and "Leave on Private Affairs") under the Covenanted Service Leave Rules in force before the 1st July 1868.

(*e*). Leave of Absence within the limits of the East India Company's charter, which counted as Service and Residence under the Covenanted Service Leave Rules in force before the 8th June 1855.

(*f*). Leave of Absence on urgent private affairs granted before the 3rd January 1863.

(*g*). Period of Absence from India on duty of an Officer deputed or detained out of India on duty.

1. Examination Leave of Absence is also reckoned as Active Service. Provided that not more than twelve months of such Leave can be so reckoned to any Officer.

2. One year of Leave of Absence on Medical Certificate was reckoned as "Residence" under the Covenanted Service Leave Rules in force before the 1st July 1868. This is not reckoned as Active Service.

Section **3**.—Four per centum shall be deducted at the time of payment from every Officer's pay and from

C. P. C.

SUPPLEMENT A.

Section 2.

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Add to Rule 1 after (g)—

"and that Leave granted under Clauses (*c*) and (*d*) of Rule 1 in Chapter VIII of the Civil Leave Code is not reckoned as Active Service unless the Officer passes the examination for which the Leave is granted." (87)

such of his other Public Emoluments as are mentioned in the last column of the following Table:—

If the Officer was in the Service in 1875, or is appointed to it after passing a competitive examination held before the end of the year 1875, and belongs to the	Bengal Establishment,	Every Allowance, excepting (1) Minimum Furlough Allowance, (2) Subsistence Allowance while on Furlough, (3) Establishment Allowance, (4) Sumptuary Allowance of Lieutenant-Governors and Chief Commissioners, and (5) Travelling Allowance.
	Madras Establishment,	(1) Acting Allowance, (2) Deputation Allowance, (3) Personal Allowance, (4) Fees, (5) Allowances while on Privilege or Subsidiary Leave, (6) Subsistence Allowance when not on leave other than Privilege and Subsidiary Leave, and (7) Local Allowances other than Travelling Allowance and Tentage. [NOTE.—House-rent to Assistant and Head Assistant Collectors in Madras is not a Local Allowance for the purposes of this Section.]
	Bombay Establishment	Ditto, and (8) Sumptuary Allowance.
If the Officer is appointed to the Service after passing a competitive examination held in or after the year 1876,		Every Allowance, excepting (1) Minimum Furlough Allowance, (2) Subsistence Allowance while on Furlough, (3) Establishment Allowance, (4) Sumptuary Allowance of Lieutenant-Governors and Chief Commissioners, (5) Travelling Allowance, and (6) Tentage.

1. The deduction from allowances required by this Section is included in the deduction made under Chapter VII of the Code, and is not to be separately made, except when the contribution prescribed in Rule 14, Section 46 of the Code, is calculated upon the salary which remains to an Officer after the usual deduction on account of annuity.

Retiring annuity.

Section **4.**—An Officer who has been twenty-five years in the Service, counting from the date of his covenant, or from the date of the despatch of the Secretary of State announcing his appointment (whichever may have been earlier),

and who has rendered twenty-one years' Active Service,

is entitled, on his resignation of the Service being accepted, to an Annuity of £1,000.

Vacation of office required if Service is resigned.

Section **5.**—An Officer who resigns the Service will, by such resignation, vacate any Office under the Government which he may then be holding. But this

Rule does not apply to the Offices of Viceroy and Governor General of India, Governor of Madras, Governor of Bombay, and Ordinary Member of the Council of the Governor General.

Invalid annuity.

Section 6.—An Officer who, being declared, by a Medical Certificate in due form, to be incapacitated for further service, is permitted to resign the Service before he is entitled to an Annuity under Section 4, is entitled to a Gratuity or Annuity as follows:—

(*a*). If he have been in the Service for less than five years;—A Gratuity of £500.

(*b*). If he have been in the Service for five years or more;—An Annuity of £150 *plus* £20 for each complete year of service in excess of five; provided that the whole Annuity shall not exceed £450.

Procedure.

1. The following Rules regulate the procedure with respect to applications for Annuity or Gratuity:—

(*a*.)—(1) An Officer of the Bengal Civil Service serving immediately under the Government of India, if he be in India, shall submit his application for permission to resign the Service, and for an annuity, to the Government of India, in the Department under which he is serving; and the Department receiving the application, will forward it, with any remarks that may be necessary, to the Home Department, which should obtain the report of the Comptroller General upon the Officer's claim in respect of Service and Active Service, and also as to whether there are any demands against him on account of the deduction prescribed in Section 3, or on any other account. (2) Any other Officer of the Bengal Civil Service, if he be in India, shall submit his application, through the Local Government under which he may be serving; and the Local Government will forward the application, with any observations which may be necessary, to the Government of India, in the Home Department, together with a No Demand Certificate from the Accountant General. (3) An Officer of the Madras or the Bombay Civil Service, if he be in India, shall submit his application to the Government of Madras or Bombay as the case may be. (4) If an Officer be in Europe, his application may be submitted to the Secretary of State, who will forward it to be dealt

with by the Government of India, the Government of Madras, or the Government of Bombay, as the case may be.

(*b.*)—In the case of an Officer of the Bengal Civil Service, if his resignation be accepted, the case should be forwarded to the Financial Department of the Government of India, in which Department a Resolution will be recorded, granting the annuity or gratuity to which the Officer may be entitled.

(*c.*)—The copy of this Resolution forwarded to the Officer will be his authority for drawing his annuity or gratuity.

(*d.*)—A Covenanted Civil Servant who resigns the Service while he is in Europe, and who has completed the requisite period of service and residence, and elected to draw his annuity from the Home treasury, can obtain advances from the Secretary of State for India.

Rate of payment.

Section 7.—Annuities are payable in arrear, quarterly, and to date of decease.

The Annuity of an Officer who leaves India by sea, when retiring from the Service at the end of Subsidiary Leave, begins on the day of the departure of the vessel in which he sails. His Subsidiary Leave ceases after the day before the vessel sails.

Report of date of departure required.

1. An Officer leaving India on resignation of the Service must report the date of the departure of the vessel in which he sails, if he is a Member of the Bengal Civil Service, to the Government of India, in the Financial Department; and if he is a Member of the Madras or Bombay Civil Service, to the Government of Madras or Bombay as the case may be.

[NOTE.—A copy of this Rule should be furnished by the Accountant General to every Officer (if he be in India) who applies to resign, with an intimation that there will be delay in the commencement of his annuity if he does not report the date of his departure. This copy should be sent to the Officer when the Accountant General prepares his No Demand Certificate.]

Place of payment.

Section 8.—Payment of these Annuities and Gratuities may be taken at the Home Treasury in sterling money, or, in India, in Government rupees, at the following rate:—

If the Annuitant was a Member of the Bengal Civil Service;—10¾ Government rupees for each pound sterling;

If the Annuitant was a Member of the Madras or Bombay Civil Service;—10·65 Government rupees for each pound sterling.

Transfer from the Home treasury to an Indian treasury, or *vice versâ*, is permitted twice only.

[NOTE.—The reasons for the difference in the rates of exchange are to be found in the history of the Annuity Funds. The rates of exchange differ considerably in the various Service Funds.]

Certificate for payment of annuity.

1. Whenever a Certificate is issued for the payment of an Annuity from the Home Treasury, the amount of the Annuity must be stated in pounds sterling and not in rupees, and it must be distinctly recorded that no further payment on account thereof will be made in India.

Compulsory retirement.

Section 9.*—After thirty-five years' service, counting from the date of his arrival in India, an Officer shall not, except, for special reasons, with the sanction of the Secretary of State, retain his office or be appointed to any new office. Provided that if such an Officer has held his office for less than five years, he may, for special reasons, with the sanction of the Government of India, be permitted to retain his office until he has held it for five years. The term "office" in this Section includes an officiating appointment.

SUPPLEMENT B.

JUDGES OF THE HIGH COURTS.

[NOTE.—The following are the Regulations made by the Secretary of State in Council of India, under the provisions of 24 & 25 Victoria, Chap. 104, Sec. 6, respecting the retiring pensions of the Judges of the High Courts. They were approved in the Judicial despatch from the Secretary of State, No. 43, dated 11th October 1871.]

[NOTE.—In these Rules, "Actual Service" includes—

(1). Time spent on duty as a Judge or Officiating Judge of a High Court.
(2). Privilege Leave of Absence.
(3). Subsidiary Leave of Absence.

* For the analogous Rule affecting Military and Naval Officers in Civil Employ see Rule 6 under Section 65 of the Code.

(4). Duly authorised Vacations, provided that the Judge is not absent on Furlough or Extraordinary Leave. "Extraordinary Leave" means any Leave granted otherwise than under these Rules.]

Section **1**.—A Chief Justice of the High Court at Calcutta, after an actual service of eleven and a half years as Judge of the High Court, of which period at least half shall have been in the office of Chief Justice, shall receive a pension not exceeding £1,800 per annum.

Section **2**.—A Puisne Judge of the High Court at Calcutta, on the same terms as to length of service, shall receive a pension not exceeding £1,200 per annum.

Section **3**.—A Chief Justice of the High Courts of Madras, Bombay, and the North-Western Provinces, respectively, after an actual service of eleven and a half years as Judge of the High Court, of which period at least half shall have been in the office of Chief Justice, shall receive a pension not exceeding £1,500 per annum.

Section **4**.—A Puisne Judge of the High Courts of Madras, Bombay, and the North-Western Provinces, respectively, on the same terms as to length of service, shall receive a pension not exceeding £1,200 per annum.

Section **5**.—A Chief Justice or Puisne Judge compelled to retire, on Medical Certificate, after six years and nine months' Actual Service, shall receive a pension not exceeding one-half the amount of pension allowed for the full period of service.

Section **6**.—In the event of a Judge of the High Court, selected from the Covenanted or Uncovenanted Services, receiving a pension under these Rules, he will not be entitled to any Pension or Retiring Allowance under the Rules applicable to Covenanted and Uncovenanted Servants, respectively.

Section **7**.—When a Judge of the High Court, selected from the Covenanted or Uncovenanted Branches of the Civil Service, is permitted to retire before completing the full period of service entitling him to the pension of a Judge of that Court, he shall, on retiring, receive such a pension as he would be entitled to under the Rules applicable to Covenanted and Uncovenanted

Servants, respectively, reckoning the period during which he shall have served as a Judge of a High Court towards his time for such pension.

Section **8**.—Provided, however, that, if a Judge of the High Court, selected from the Covenanted or Uncovenanted Branches of the Civil Service, shall be compelled to retire, on Medical Certificate, after six years and nine months' Actual Service, he shall be allowed the option of taking his Pension or Retiring Allowance either under these Rules or under the Rules applicable to the Service to which he belongs.

Section **9**.—A Judge of the High Court, selected from the Covenanted Civil Service, shall be required to continue his subscriptions to the Civil Annuity and Civil Service Funds.

Section **10**.—If a Judge be transferred from one Court to another, the period for which he has officiated in the first Court shall count as service qualifying for retiring pension.

Section **11**.—If a Puisne Judge be promoted to be a Chief Justice in the same or another Court, the time for which he has served as Puisne Judge will count for pension, according to the rate of a Puisne Judge's pension, and the time for which he serves as Chief Justice will count for pension according to the rate of a Chief Justice's pension.

[NOTE.—If a Puisne Judge be nominated to a Chief Justiceship by the Government of India or by a Local Government, as the case may be, until the pleasure of Her Majesty the Queen is known, he cannot count the period of such provisional employment as Chief Justice as service towards pension according to the rate of a Chief Justice's pension.]

Section **12**.—If a Puisne Judge of Madras, Bombay, or the North-Western Provinces, be promoted to be Chief Justice of Calcutta, the time for which he has served as a Puisne Judge will count for pension at the rate of a Puisne Judge's pension, and the time for which he serves as Chief Justice of Calcutta will count for pension according to the rate of such Chief Justice's pension.

Section **13**.—If a Chief Justice of Madras, Bombay, or the North-Western Provinces, be transferred to be

C. P. C.

SUPPLEMENT B.

Section 11.

Page 122.

Substitute the following for the Note under this Section:—

[NOTE.—The period during which a Puisne Judge performs the duties of Chief Justice under an appointment made by virtue of Statute 24 and 25 Vic., Cap. 104, Section 7, shall count only as service for pension not exceeding £1,200 a year, unless he shall subsequently be promoted to the office of Chief Justice of one of the High Courts, in which case the said period shall count as service for the pension of £1,500, or of £1,800, according to the Court to the Chief Justiceship of which he shall be promoted:

Provided that the period of service as Chief Justice of Bengal under an appointment made as aforesaid shall not count for pension at a rate exceeding £1,500 a year, except in the event of subsequent promotion to the office of Chief Justice of Bengal.] (143G.)

SUPPLEMENT C.

Section 2 (*a*).

Page 123.

For "Upper India" *in two places in Rule* 1 *under this Section, substitute* "the Lahore Diocese or to any Station in the Central Provinces or north of Allahabad." (58)

Chief Justice of Calcutta, the time for which he has served in the former capacity will count for pension according to the rate of pension of a Chief Justice of Madras, Bombay, or the North-Western Provinces, and the time for which he serves as Chief Justice of Calcutta shall count for pension according to the rate of pension of a Chief Justice of the High Court of Calcutta.

SUPPLEMENT C.

CHAPLAINS.

Section 1.—Pensions are granted to Chaplains under the following Rules.

Section 2. (*a*).—"Residence" is reckoned, in the case of a Chaplain appointed in England, from arrival in India; and, in the case of a Chaplain appointed in India, from date of covenant. It includes (1) Time spent on Duty, (2) Privilege and Subsidiary Leave, (3) Time passed Out of Employ, in India, otherwise than on Leave. Residence and service.

1. A Chaplain on the Bengal Establishment, who is posted in England to ~~Upper India~~, who comes to India *viâ* Bombay, and who is instructed by the Secretary of State to enquire from the Secretary to the Government of Bombay for orders as to his ultimate destination, is held to have arrived in India either on the date on which he reports his arrival at the Station to which he is directed to proceed in the orders he receives at Bombay, or, if he receives no orders at Bombay, on the date on which he reports his arrival at Allahabad. A Chaplain, who is not on the Bombay Establishment, and who is not posted to any Station in ~~Upper India~~, but who comes out to India *viâ* Bombay, is held to have arrived in India from the date on which he reports his arrival at the Presidency Town of the Presidency to which he is attached, or, if he receives orders at Bombay to proceed to any particular Station, from the date of his arrival at that Station. The report of arrival, in each instance, is to be made to the Bishop of the Diocese to which the Chaplain is attached.

(*b*). "Service" includes "Residence," and, also, all Time spent on Leave of any description, but no time before the beginning of "Residence."

Supplement C.—Chaplains.

Retiring pension.

Section **3**.—A Chaplain who has completed seventeen years' Residence and twenty years' Service, or, if appointed before the 11th January 1854, fifteen years' residence and eighteen years' Service, is entitled to a Retiring Pension of £365 a year.

Procedure.

1. Pensions are granted either by the Government of India, the Government of Bombay, or the Government of Madras (as the case may be), or by the Secretary of State. A Chaplain proceeding to England on retirement without applying for pension to the Government of India, the Government of Bombay, or the Government of Madras (as the case may be), should procure a certificate from the Accountant General showing his service, residence, the amount of pension to which he is entitled, and the date from which his pension may be paid. A Chaplain to whom pension has been granted in India should be careful before proceeding to England to obtain the usual certificate of the last issue of pay or pension to him in India.

2. A Chaplain absent on Furlough may retire without returning to India.

3. A Chaplain belonging to the Bengal Establishment, who wishes to obtain pension from the Authorities in India, must submit his application to the Government of India in the Home Department, through the Venerable the Archdeacon or the Right Reverend the Lord Bishop of his Diocese. A Chaplain belonging to the Madras or Bombay Establishment must submit his application to the Government of Madras or the Government of Bombay, as the case may be, through the Venerable the Archdeacon or the Right Reverend the Lord Bishop of his Diocese. A Chaplain of the Church of Scotland serving in the Bengal Presidency, who wishes to obtain pension from the Authorities in India, must submit his application to the Government of India in the Home Department, if he is not Senior Chaplain, through the Senior Chaplain of the Church of Scotland. A Chaplain of the Church of Scotland serving in Madras or Bombay must submit his application to the Government of Madras or Bombay, as the case may be, if he is not Senior Chaplain, through the Senior Chaplain of his Presidency.

Compulsory retirement.

Section **4**.*—A Chaplain must retire after twenty-five years' service, unless especially exempted by the Secretary of State, on the recommendation of the Gov-

* As soon as a Chaplain, whether English or Scotch, completes his full period of Service, a statement should be furnished to the Government of India in the Home Department, for transmission to the Secretary of State, showing the date on which the Chaplain completes such service, whether he is in England or in India. It should also be stated whether he is on Duty or on Leave, and, if the latter, for what period.—(*Home Department's Circular No. 197, dated 30th May 1878*).

ernor General in Council, or, if he belong to the Madras or Bombay Establishment, of the Governor in Council of his Presidency.

Section 5.—A Chaplain who retires on Medical Certificate before completing the periods of Residence and Service required by Section 3, will receive an Invalid Pension according to the following Scale:— Invalid pension.

	£	s.	d.	
If he have completed ten years' Residence ...	173	7	6	a year.
If he have completed seven years' Residence ...	127	15	0	„
If he have not completed seven years' Residence...	63	17	6	„

These allowances are admissible only after a trial of a temperate climate, and upon a certificate from the Medical Board attached to the Office of the Secretary of State for India, that the Officer is permanently unfit to serve in India.

SUPPLEMENT D.

MEMBERS OF THE PILOT SERVICE IN BENGAL.

[NOTE.—Subscriptions by a Pilot for the purpose of securing pensions for his wife and children are refunded in the event of his dismissal.]

Section 1.—A monthly contribution, as noted in the margin, is made by the Pilots of the several grades towards a Fund for pensionary support to their widows and orphans, and the following pensions are allowed by Government* :—

Branch Pilot, at ...	Rs. 40 a month.
Master ...	„ 20 „
First Mate ...	„ 10 „
Second Mate & Volunteer	4 „

Branch Pilot	Rs. 200 a month.
Master	„ 100 „
First Mate	„ 60 „
Second Mate and Volunteer	„ 30 „

* In despatch from the Marine Department to the Court of Directors, No. 26, dated 3rd August 1842, the Government of Bengal recommended, at the instance of the Marine Board, that pensions on the following scale should be paid from the General Revenues to the widow and orphans of a Pilot lost with

Supplement D.—Members of the Pilot Service in Bengal.

FAMILIES.

Widow of Branch Pilot	Rs.	100 a month.
Ditto Master	„	50 „
Ditto First Mate	„	30 „
Ditto Second Mate and Volunteer ...	„	15 „

CHILDREN.

Girls until 10 years of age	Rs.	14 a month.
„ after 10 „ until married ...	„	20 „
Boys until 15 „ of age	„	12 „

1. The widow of a Pilot married to him after he became a pensioner, and the children of such a marriage, are not entitled to the benefit of these Rules.

Section 2.—On the re-organisation of the Pilot Service in 1873, members of that Service at the date of re-organisation were specially permitted to subscribe for pensions to their families, without also subscribing for annuities for themselves, at the following rates, *viz.*,—

Branch Pilot	Rs. 16
Master Pilot	„ 8
First Mate Pilot	„ 4
Second Mate Pilot and Volunteer ...	„ 2

A member of the Pilot Service at the date of re-organisation was also permitted to subscribe for a family pension at rates higher than those corresponding with his rank, on the conditions—

(*a*) that the aggregate of the subscriber's contributions qualifying for the pension of such higher grade must not be less than—

Rs. 5,000 for a Branch Pilot.
„ 3,000 „ Master Mate.
„ 1,800 „ First Mate.
„ 900 „ Second Mate and Volunteer.

---

any vessel on board of which his duty may have placed him; the pensions to be in addition to those admissible under Section 1:—

Widow of Branch Pilot	Rs.	30 a month.
Ditto Master Pilot	„	25 „
Ditto First Mate Pilot ...	„	20 „
Ditto Second Mate and Volunteer Pilot	„	15 „
Girls until ten years of age ...	„	6 „
Do. after ten years until married ...	„	5 „
Boys until fifteen years of age ...	„	6 „

The Court of Directors did not, however, sanction the scale, observing in

(*b*) that if the aggregate of the contributions be less than this prescribed minimum, a deduction of one-sixth should be made from the pension which would otherwise have been paid to his widow, till the amount is made up.

The privilege of subscribing at a higher rate than that corresponding to an Officer's own rank is restricted to an Officer who, on or after the re-organisation of 1873, and before the 27th October 1877, elected to contribute in a grade higher than his own. An Officer so circumstanced continues to enjoy this privilege; but all Pilots admitted to the Service after 27th October 1877 are required to subscribe at the rates detailed on the margin of Section 1.

Section **3**.—(*a*). Pilots are entitled to pension at the foregoing rates on Medical Certificates by the Standing Invaliding Committee.

1. A Pilot retiring from the Service on Medical Certificate during absence on Leave in England, may be admitted to the pension of a higher grade if he has been promoted to such higher grade within a period of twelve months from the date of his quitting India on leave.

(*b*). A Pilot after thirty years' actual service in India, if he shall have attained the grade of Branch Pilot, is entitled to retire upon the pension of Rs. 200 a month, or, if below the grade, upon a pension of Rs. 100 a month, provided that in any period of three consecutive years the number of pensions so granted do not exceed four.

Section **4**.—To entitle widows and orphans to pensions under these Rules, Pilots are to forward to the Port Officer certificates of their marriage, of the births of their children and of their baptisms, within one month after the occurrence thereof. Notices of death are in like manner to be forwarded to the Port Officer.

Section **5**.—No widow who may have been legally divorced or separated from her husband for adultery, or who, at the period of her husband's demise, may have

their Marine Department's despatch to the Government of Bengal, No. 6, dated 22nd February 1843, that they thought it preferable that each case should continue to be decided upon according to its merits.

quitted his protection and be living in a state of notorious adultery, though not divorced or separated from him by law, or who, subsequently to her husband's decease, may be living in a notorious state of incontinence, and no female orphan living in such state, shall be entitled to receive, or continue to receive, any pension under these Rules.

Section **6**.—If a widow pensioner marries, her pension is to cease during her coverture; but, in the event of her again becoming a widow, she shall be re-admitted to the pension to which she was entitled during her first widowhood, unless her second husband shall have been a member of the Pilot Service, and have been at his death of a higher grade than her first husband, in which case she shall be entitled to the pension of the higher rank.

Section **7**.—All pensioners under these Rules are to make personal appearance at the Accountant General's Office on the first day of every alternate month, or to afford such other proof of their existence as the Accountant General may, from time to time, require.

Section **8**.—Widows and female orphans above the age of fifteen years are required to forward to the Accountant General's Office, declarations, half-yearly, in May and November, that they are not married, and that they have not been married at any intervening period. The declarations are to be countersigned by the Executor to the estate of the deceased member of the Pilot service, or pensioner, or by the guardian of an orphan, and by a member of the Pilot service, certifying to the truth of the declaration to the best of their knowledge and belief. Forms of the declaration will be furnished on application at the Office of the Accountant General.

Section **9**.—Contributions to the Pension Fund by members of the Pilot Service who joined the Service on or before the first July 1835, and pensions to them and to their families, will continue to be paid in Sicca rupees. All other contributions, allowances, and pensions, will be paid in Government rupees.

1. If pensions payable in Sicca rupees are paid at the Home Treasury of the Government of India, payment is made at 24·035*d*. for each Sicca rupee.

THE CIVIL LEAVE CODE.

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FOURTH EDITION— „ 25th April 1879.

FORT WILLIAM.

FINANCIAL DEPARTMENT.

The 25th April 1879.

FROM the date of the publication of this the fourth authorised edition of THE CIVIL LEAVE CODE, the third edition, and all notifications and orders thereunder, become obsolete.

This fourth edition only should hereafter be quoted.

By order of the Governor General in Council,

R. B. CHAPMAN,

Secretary to the Government of India.

THE CIVIL LEAVE CODE.

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Section 2.

Page 135.

Add to Clause (*a*).—

In Supplement C, but not elsewhere, it includes a Native Civil Servant. (145 G.)

Add the following Clause to this Section :—

(*aa*). A "Native Civil Servant" means a Native of India appointed to an office in the Covenanted Civil Service, in accordance with the Rules framed under Section 6, Act 33 Vic., Cap. 3. (145G.)

THE CIVIL LEAVE CODE.

PRELIMINARY.

Section 1.—No standing order not contained in this Code or its Supplements should be quoted or trusted in deciding, or submitting for orders, any question affecting leave to Officers engaged in the Civil Administration. If any Officer thinks that any order not embodied in this Code or its Supplements should be revived, he should refer the question through the proper channel to the Government of India. Without the special authority of the Government of India, no such order is valid.

CHAPTER I.

DEFINITIONS.

Section 2.—In this Code, unless there be something repugnant in the subject or context—

(*a*). "Covenanted Civil Service" means the Bengal, Madras, and Bombay Covenanted Civil Services of the Crown. A "Covenanted Civil Servant" is a Member of the Covenanted Civil Service. Covenanted Civil Service and Covenanted Civil Servant.

(*b*). An "Uncovenanted Officer" is a Public Servant not belonging to the Covenanted Civil Service or the Army. Uncovenanted Officer.

(*c*). "A Warrant Officer" includes every Warrant Officer, to whichever Military Furlough Rules he may be subject, and whether he hold an Honorary or Veteran Commission, or not.

(*d*). "A Military Officer subject to Civil Rules" means a Military Commissioned Officer in permanent

Civil employ (not being a Warrant Officer) who is not subject to the Military Furlough Rules of 1854 or 1868. All Military Officers in Civil employ who entered the Staff Corps or the Indian Medical Service after the 31st December 1875 are "subject to Civil Rules."

(*e*). "A Military Officer subject to Military Rules" means a Military Commissioned Officer in permanent Civil employ (not being a Warrant Officer) who is subject to the Military Furlough Rules of 1854 or 1868, or a Warrant Officer. All Military Officers who were in Civil employ on the 30th December 1875, and have been since continuously in such employ, are "subject to Military Rules" excepting any who may have elected the Rules of 1875, before the 7th December 1877.

(*f*). "All Military Officers" means both Military Officers subject to Civil Rules, and Military Officers subject to Military Rules.

(*g*). "An Officer" means an Officer of any class to whom Leave of Absence from duty may be granted under the Rules of this Code, and does not, therefore, include "a Military Officer subject to Military Rules."

Active Service.

(*h*). "Active Service" includes, besides time spent on duty in India,*—

(1), Privilege Leave of Absence;

1. "Privilege Leave" includes the corresponding leave (called "Short Leave on Private Affairs" and "Leave on Private Affairs") under the Covenanted Service Leave Rules in force before the 1st July 1868.

(2), Subsidiary Leave of Absence;

1. "Subsidiary Leave" includes the corresponding Leave (called "Special Leave") under the Covenanted Service Leave Rules in force before the 1st July 1868; and also Preparatory Leave under the Uncovenanted Service Leave Rules.

* In a despatch No. 16, dated 18th January 1877, the Secretary of State declined to lay down a general rule that the period of absence of an Officer Deputed or Detained on Duty out of India shall count as service for Leave as well as for Pension, and wrote, -"The occasions when Indian Officers are employed out of India on duty are comparatively so rare, and the circumstances of their employment vary so much, that it will be preferable to consider each case that may arise in future on its merits, and this course I shall be prepared to adopt."

C. L. C.

Section 2 (f).

Page 136.

Insert the following as a foot-note to this Section—

Under the authority of Her Majesty's Government, it has been decided that all officers of the Staff Corps, Local Service, and General Lists, who were in civil employment for less than five years on the 22nd October 1879, or who may hereafter be appointed to any civil department, should be informed that they will hold their appointments subject to any change in their position as Military Officers which may hereafter be decided on; and the necessary communications may be made accordingly.—(*Circular in the Military Department, No. 69A, dated 10th January* 1880.)

In the case of a Covenanted Civil Servant, Active Service includes also—

(3), the interval between the date of an Officer's first arrival in India, and the date on which he joins his first appointment;

Arrival in India.

1. The date of an Officer's first arrival in India is held to be as follows :—

Before the 31st January 1868;—the date of his actual arrival in India.

From the 31st January 1868 to the 4th May 1869, inclusive; the date on which he reported his arrival at the capital town of the Presidency to which he was attached; or, if he was attached to the North-Western Provinces, the Punjab, or Oudh, and had permission to enter India *viâ* Bombay, the date on which he reported his arrival at Bombay.

From the 5th May 1869;—

(1) In the case of an Officer who is posted in England to Upper India, and arrives *viâ* Bombay, and who has been instructed by the Secretary of State to enquire at the Secretariat of the Government of Bombay for any orders as to his ultimate destination,

(*a*) if he receives no orders at Bombay;—the date on which he reports himself at Allahabad to the Secretary to the Government of India, in the Home Department, and to the Secretary to the Government of the North-Western Provinces;

(*b*) if he receives orders at Bombay;—the date on which he reports his arrival at any Station or Province to which he is attached by such orders.

(2) In the case of any other Officer; the date on which he reports his arrival at the capital town of the Presidency or Province to which he is attached.

2. If an Officer does not join his first appointment within the Joining Time allowed him, the interval between the end of such Joining Time and the date on which he actually joins, is not Active Service.

(4), time passed in India, out of employ, on Subsistence Allowance, but not on Furlough;

1. If a Covenanted Civil Servant, on his first arrival in India, is unable, from illness, to proceed to the seat of the Government to which he is attached, or to any other Station to which he is ordered to proceed direct, the Local Government in whose jurisdiction he is, may, on Medical Certificate, grant to him a Subsistence Allowance of

two hundred and fifty rupees a month for not more than two months. Time thus spent is not Active Service.

(5), Leave of Absence within the limits of the East India Company's charter, which counted as Service and Residence under the Covenanted Service Leave Rules in force before the 8th June 1855:

(6), Leave of Absence on Urgent Private Affairs granted before the 3rd January 1863.

1. Examination Leave of Absence is also Active Service; provided that not more than twelve months of such Leave can be so reckoned to any Officer.

2. One year of Leave of Absence on Medical Certificate was reckoned as "Residence" under the Covenanted Service Leave Rules in force before the 1st July 1868. This is not reckoned as Active Service.

The Active Service of a Military Officer subject to Civil Rules includes—

(1) the time spent on duty in India between the date on which he became subject to the Military Furlough and Leave Rules of 1875, and the date on which he joined his first substantive Civil appointment:

(2) Leave granted under Rule 10 of the Military Furlough and Leave Rules of 1875:

(3) time passed in India out of employ on Civil Subsistence Allowance, but not on Furlough.

Extraordinary Leave.

(*i*). "Extraordinary Leave" means Special Furlough granted under Rule 8 of the Military Furlough and Leave Rules of 1875, Leave Without Allowances, granted under Section 10 of Supplement F, and Leave of Absence from Duty granted otherwise than under the Rules of this Code and its Supplements.

Example.—Leave in extension of the three years admissible under Section 22.

Continuous Service and Continuous Active Service.

(*j*). "Continuous Service" and "Continuous Active Service" mean the Service and Active Service of an Officer since his last return from Leave of the following kinds, namely,—

in the case of a Covenanted Civil Servant or a Military Officer subject to Civil Rules:—Furlough

C. L. C.

Section 2.

Page 13[illegible]

After (3) insert the following as Rule 1:—

1. Rule 1 under paragraph (6) above applies also to Military Officers subject to Civil Rules. (87)

No. 12.

C. L. C.

Section 2 (*j*).

Pages 138 *and* 139.

Substitute—

(*j*) "Continuous Service" and "Continuous Active Service" mean the Service and Active Service of an officer since his last return from Furlough, or Extraordinary Leave lasting more than three months; or if he have not had such leave, since the beginning of his Active Service. No leave can be included in Continuous Service, except Privilege Leave and Special Leave. (12 A.G.)

or Extraordinary Leave lasting more than three months;

in the case of an Uncovenanted Officer:—Furlough, Special Leave, or Extraordinary Leave, whether more or less than three months;

or, in either case, if he have not had such Leave, since the beginning of his active service.

No leave can be included in Continuous Service, except—

in the case of a Covenanted Civil Servant or a Military Officer subject to Civil Rules:—Privilege Leave and Special Leave;

in the case of an Uncovenanted Officer:—Privilege Leave.

1. Examination Leave may also be included, unless the Officer have already had twelve months' such Leave.

Pay and salary.

(*k*).* "Pay" means monthly Substantive Pay. "Pay" includes also the Subsistence Allowance of a Covenanted Civil Servant, or a Military Officer subject to Civil Rules who has an officiating, but not a substantive, appointment. "Salary" means the sum of Pay and Acting Allowance or Charge Allowance under Section 32 of the Acting Allowance Code.

Personal Allowance.

1.* Personal Allowance is, for the purposes of this Code, to be taken as part of an Officer's Substantive Pay.

House-rent, Tentage, and Travelling Allowance.

2. *"Salary" does not include House-rent, Tentage, or Travelling Allowances whether daily, monthly, or annual; nor does it include Local Allowances.

Local Allowance.

(*l*).* A "Local Allowance" is an allowance, not specially declared to be Pay or Salary given to an Officer in addition to Pay or Salary either for duties which do not properly belong to his office, or in consideration of exceptional local circumstances, such as the unhealthiness or expensiveness of the locality or duty, or the specially arduous nature of the work. (*See Section 16, and Rule 10 under Section 46.*)

Calendar months.

(*m*).* Whenever it is necessary to calculate a period in "Calendar Months," the period ends either on the day of the month corresponding with the day before the day

* Applies to all Officers.

on which it begins or, if there is no such corresponding day in that month, then on the last day of the month.

Examples.

A period of six Calendar Months beginning on the—	ends on the—
28th February	27th August.
31st March or 1st April	30th September.
29th August	28th February.
30th August to 1st September	last day of February.

A period of three Calendar Months beginning on the—	
29th November	28th February.
30th November or 1st December	last day of February.

[NOTE.—See Section 13, and Section 50, Rules 14 and 16. The first day of an Officer's leave is the first day on which he has not charge of his office after noon, and the last day of his leave is the last day on which he has not charge before noon.]

Local Government.

(*n*). "Local Government" includes a Department of the Government of India, a Chief Commissioner (~~except~~ the Chief Commissioner of the Andaman and Nicobar Islands), the Resident at Hyderabad, the Agents to the Governor General in Rajputana and Central India; and, as regards the Civil Departmental Officers under their orders, the Director General of the Post Office (excepting in the case of Officers appointed directly by the Government of India), the Director General of Telegraphs, the Director-in-Chief, Indo-European Telegraphs, the Inspector General of Military Works, and the Directors of State Railways.

Accountant General.

(*o*). "Accountant General," when used in reference to a Public Servant applying for leave or on leave, means the Officer who audits the pay and allowances of such Public Servant.

Chargeable to several accounts.

(*p*). When the Leave Allowances of an Officer are said to be chargeable to several accounts according to the "Rule of Proportions," the meaning is that the charge should be debited to such several accounts in the proportions in which the aggregate salary drawn by the Officer in the course of the three years immediately preceding the beginning of his leave, was charged to such several accounts.

C. L. C.

Section 2 (n).

Page 140.

For "except" *substitute* "including"

After "Islands" *add* "excepting in the case of officers appointed directly by the Government of India"

After "Post Office" *add* ", the Surveyor-General of India, the Commissioner of Inland Customs, the Inspector-General of Ordnance, Bengal, the Commissary-General, Bengal,"

After "Works" *add* "the Director General of Railways," (91)

C. L. C.

Section 2.

Page 140.

Substitute for (*p.*)—

(*p.*)—"Foreign Service" means service under a Native State, Municipality, Port Trust, Court of Wards, or other body financially independent of the Government of India. Service which is paid from a Local Fund under such circumstances that it does not qualify, is "Foreign Service."(30)

Page 141.

Add (*s.*)—

(*s.*)—When the Leave Allowances of an Officer are said to be chargeable to several accounts according to the 'Rule of Proportions,' the meaning is that the allowances are to be charged to such several accounts in the proportions in which the aggregate salary drawn by the Officer during the portion of his service immediately preceding the beginning of his leave which is taken into account in calculating the leave granted to him was charged to such several accounts.

The following is the service to be thus taken into account:—

LEAVE UNDER THE CODE.

Nature of Leave.	Sections.	Period of service to be taken into account.
Furlough on Medical Certificate.	21 to 24	The whole continuous service.
Furlough without Medical Certificate including extensions.	21 & 22	Active service for a period four times as long as the furlough.
Special Leave ...	31	Active service for six years.
Subsidiary Leave ...	34 & 35	As for the Leave to which it is subsidiary.
Privilege Leave ...	41 to 46	Duty without interruption for a period eleven times as long as the Privilege Leave.

LEAVE UNDER APPENDIX C. 1.

	Rule.	
Furlough without Medical Certificate—		
First two years ...	IX	Actual service in India for eight years.
The rest ...	*Ib.*	Actual service in India for six years.

LEAVE UNDER SUPPLEMENT F.

	Section.	
Leave on private affairs	6	Service for six years.
Furlough—		
First year ...	8	Service for ten years.
The rest ...	*Ib.*	Service for eight years.

In unenumerated cases, the whole service in India is counted.[30]

(*q*). "Barrister" means a practising Barrister of England or Ireland and a practising Member of the Faculty of Advocates of the Court of Session of Scotland. It does not include a person who, though a Barrister, has never practised the profession of Barrister. Barrister.

(*r*). "Qualify" and "Count" mean qualify and count for Leave of Absence under this Code or its Supplements. Qualify and Count.

CHAPTER II.

EXTENT OF APPLICATION.

Section **3.**—Saving as in any particular case specially so expressed, the Rules in this Code do not apply to the following Public Officers who are subject to the separate Rules stated against each class— Non-application of Rules.

	The Rules which apply to these Officers are contained in—
Lieutenant-Governors and Ordinary Members of the Council of the Governor General or of the Governor of Madras or Bombay ...	Supplement A
Judges of the High Court and (provided that they are Barristers and not Covenanted Civil Servants) Judges of the Chief Court of the Punjab, the Secretary to the Government of India in the Legislative Department, the Recorder of Rangoon and First Judges of Small Cause Courts of Presidency Towns	„ B
Law Officers described in Section 1 of Supplement C, provided that they are not Covenanted Civil Servants	„ C
Bishops	„ D
Chaplains	„ E
Uncovenanted Officers excepting those specified in Section 4 (*c*)	„ F
The Police at Port Blair	„ G
The Bengal Pilot Service	„ H
Military Officers subject to Military Rules ...	Appendix CI
Officers serving under Special Contracts ...	Their contracts.

1. An Officer under contract is not entitled to leave, except in accordance with the terms of his contract. But, if an Officer of Officers under contract.

the class defined in Clause (*c*) of Section 4 is, by the terms of his contract of service, entitled to Leave under the "Uncovenanted Service Leave Rules," the Rules referred to shall be held to be the Rules in this Code which apply to Uncovenanted Officers.

Application of Rules.

Section 4.—The Rules in this Code apply to the following Officers:—

Covenanted servants.

(*a*) Covenanted Civil Servants.

Uncovenanted Officers.

(*b*) Military Officers subject to Civil Rules.

(*c*) Any Uncovenanted Officer belonging to one of the Classes enumerated in SCHEDULE A, and appointed thereto by Her Majesty's Secretary of State or with his particular sanction, or whose name is entered in SCHEDULE B.

Schedule B.

1. The Officers whose names are entered in SCHEDULE B were admitted to the benefits of these Rules from the 3rd January 1872, being the day on which the despatch from the Secretary of State, No. 451, dated 6th December 1871, was received. The death, resignation, removal, or retirement of any of these Officers should be promptly reported by the Government, Department, or Head of Office under whom he is serving, directly to the Government of India in the Financial Department.

Conditions precedent for admission to Schedule B.

2. The conditions precedent to the entry of the name of an Officer in Schedule B were that—

(1) he was not of purely Asiatic descent;

(2) he held, substantively, on the 3rd January 1872, one of the Offices described in Schedule A; and

(3) his salary, on the 10th February 1876, was not less than six thousand rupees a year.

3. An Uncovenanted Officer to whom the Rules in this Code are declared applicable, does not forfeit his privileges upon transfer to some Office not included in Schedule A, unless such transfer is ordered as a penalty, or because of the Officer's inefficiency.

Royal Navy.

4. The Rules in this Code which apply to an Uncovenanted Officer apply to an Officer of the Royal Navy attached to the Marine Survey Department.

Section 5.—Subsidiary Leave of Absence under Chapter VI, Privilege Leave of Absence under Chapter VII, and Examination Leave of Absence under Chapter VIII, of this Code, may be granted to a Military Officer subject to Military Rules, provided that he is not employed in the Military Secretariat of the Governments of India, Madras, or Bombay: no other Leave of Absence

Section 4.

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Add to Rule 4:—

The leave admissible to such an officer will be calculated with reference only to his service in India and without any regard to his British service. (6 A.G.)

may be granted, under the Rules of this Code, to a Military Officer subject to Military Rules. No Leave of Absence can be granted under this Code to a Warrant Officer, excepting under this Section.

CHAPTER III.

GENERAL RULES.

Right of making or interpreting Rules.

Section 6.—The Government of India reserves to itself the full right of modifying the Rules in this Code and its Supplements as may from time to time seem to it expedient, and of interpreting these Rules in case of dispute. In all contracts for service in India to which the Secretary of State is a party,* provision is made for the exercise by the Government of these rights.

Discretion of Government.

Section 7.†—Leave of Absence can never be claimed absolutely, as of right. Nothing in this Code or its Supplements must be understood to limit the free discretion of the Government to refuse, or revoke, Leave of Absence of any description, at any time, according to the exigencies of the Public Service.

1. If a Local Government, under this Section, refuse Furlough to a Bengal Covenanted Civil Servant, it should report the refusal for the confirmation of the Government of India in the Home Department.

Promotion during leave.

Section 8.†—If an Officer while absent on Leave during which the amount of his Leave Allowances depends upon the substantive or officiating rank or appointment which he would hold if present on duty, obtains promotion, substantive or officiating, or an increase of Pay or Acting Allowance which involves no change in, or addition to, his duties or responsibilities, the promotion or increase has effect at once. Otherwise, the promotion of an absent Officer has effect only from the date of his return to duty.

Service before discharge or resignation.

Section 9.—An Officer who is discharged from, or resigns, the Public Service, and is re-employed after an

* The despatch from the Secretary of State announcing this is No. 15, dated 3rd January 1879.

† Applies to all Officers.

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Section 7A.

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Substitute the following for this Section :—

Section 7A.—(*a*) An Officer recalled to duty before the expiry of leave of any kind, is entitled to take the balance of his leave, together with any leave of the same kind subsequently earned, as soon as he can be spared from duty.

[NOTE.—Time occupied in the voyage to India on recal from recognised leave out of India is not included in the balance of leave.]

(*b*) An Officer recalled to duty before the expiry of any recognised leave out of India—

(1) is entitled to free passage to India, and actual personal travelling expenses from the port of debarkation in India to the Station to which he is posted;

(2) and counts as Active Service time spent on his voyage to India and (if he takes the balance of his leave within a year from the date when he can be spared) on his return voyage to Europe.

[NOTE.—During both voyages Leave Allowances only are granted.]

(*c*) An Officer recalled to duty before the expiry of leave in India, other than privilege leave, is treated as on duty from the date on which he starts for the Station to which he is ordered, and is entitled to his actual personal travelling expenses on his journey to the Station to which he is posted.

(*d*) An Officer recalled to duty from privilege leave is entitled to no concession except that mentioned in Clause (*a*).

DEPARTMENT OF FINANCE;
The 28th June 1880.

R. B. CHAPMAN,
Secy. to the Govt. of India.

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Section 9.—An Officer who is discharged from, or resigns, the Public Service, and is re-employed after an

* The despatch from the Secretary of State announcing this is No. 15, dated 3rd January 1879.

† Applies to all Officers.

interval, cannot, without the sanction of the Government of India, count his service before discharge towards leave after re-employment.

Indian Navy. *Exception.*—An Officer discharged from the Indian Navy on its abolition, and subsequently re-employed, may count his Naval Service towards leave after re-employment, notwithstanding the occurrence of a moderate interval between his discharge from the Indian Navy and his first re-employment. Any leave taken by such Officer while in the Indian Navy, will be treated, in calculating the leave due to him under this Rule, as if such leave had been taken under the Rules to which he became subject on re-employment.

Pension. 1. An Uncovenanted Officer, who draws pension as well as pay under Section 107 of the Civil Pension Code, may, during leave of absence from his new office, draw so much of his pension as will raise his whole Leave Allowances to the amount which would have been admissible to him if he had taken leave of the same kind and under the same circumstances while holding his abolished appointment; provided that his allowances on leave shall never be less than his pension.

Marine Service. 2. The Service of an Officer of the Marine Service continues to count after the abolition of his appointment, if he is retained on Subsistence Allowance, or employed in an acting appointment.

Dismissal commuted to suspension. 3. The Authority who, on revision or appeal, reverses an order dismissing an Officer, may declare that as regards qualifying service the dismissal reversed shall be held to have been suspension followed by reinstatement.

Private Secretary. *Section* **10.**—Service as Private Secretary to the Governor General or a Governor qualifies, provided that the Officer belongs to the Covenanted Civil Service or to the Staff Corps, or belonged (before his appointment as Private Secretary) to the Uncovenanted Service.

Army. *Section* **11.**—Service in the Army, which, under Exception (4) in Section 11 of the Civil Pension Code, counts towards civil pension, qualifies. Any leave taken by an Officer during such service, will, in the calculation of future leave, be treated as if it had been taken under Civil Rules.

Local Fund. *Section* **12.**—Service under a Local Fund of the kind mentioned in Section 39, Civil Pension Code, may qualify for Leave under these Rules; but the allowances given during such Leave must be disbursed from the Local Fund and General Revenues ~~in the proportion in which the salary has been paid from those sources~~

Section 12.

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For "in the proportion in which the salary has been paid from these sources during the period qualifying for the Leave" *substitute* "according to the 'Rule of Proportions.'"[30]

Insert the following new Sections :—

Section 12 *A*.—Foreign service which qualifies for pension under Chapter VII of the Civil Pension Code, qualifies for leave under these Rules. If an Officer who is transferred to Foreign Service elects under Section 46, Rule 3 of the Civil Pension Code, to contribute only twelve per cent. of his allowances, the British Government will thenceforth only pay its share of his leave allowances according to the 'Rule of Proportions:' otherwise the British Government pays all the leave allowances of an Officer so transferred except when he is on Privilege Leave, when it pays only its share according to the 'Rule of Proportions.'

Section 12 *B*.—The Leave Allowances of an Officer not subject to the Rules in Chapter VII of the Civil Pension Code, who has served in any appointment the salary of which has been derived either wholly or in part otherwise than from Indian Revenues, shall be charged according to the 'Rule of Proportions.' But this Rule does not apply to a Military Officer subject to Military Rules, who either vacates his Civil appointment when going on leave, and reverts to the Military Department; or receives only English Furlough Pay.[30]

~~during the period qualifying for the Leave~~: Provided that, if less than one-fourth of the said allowances would be payable from either source, the whole of the allowances shall be charged to the other source.

Section **13***.—If an Officer makes over charge of his Office before noon, his leave begins on and includes the day on which he makes over charge; otherwise, it begins on and includes the following day. Beginning of leave.

1.* If the absence of the Officer does not involve the deputation of any Officer from another Station, or any formal transfer of charge in the way of taking over money, or the like, then the Local Government may, by special order, permit the Absentee to leave his Station at the close of the last day on which the Office is open for business before his leave begins. In such case the several transfers of charge dependent upon the departure of the Absentee shall take effect from the close of the last working day as aforesaid. But the leave of the Absentee and the re-arrangement of allowances, if any, depending upon his departure, shall begin from, and include, the first day thereafter on which the Office is open for business. The actual date of the Officer's departure from his Station must, however, always be reported. Leaving Station.

Section **14**.—No Leave but Privilege Leave may be granted to a Covenanted Civil Servant who has completed thirty-five years' service, or to a Military Officer in Civil Employ whether subject to Civil Rules or to Military Rules, who is more than fifty-five years old. Any Leave other than Privilege Leave granted to a Covenanted Civil Servant before such date ceases to have effect on such date, and any Leave other than Privilege Leave granted in the Civil Department to a Military Officer in Civil Employ before he is fifty-five years old ceases to have effect on his fifty-fifth birthday, on which date he reverts to Military Employ. The Absentee allowances of a Military Officer in Civil Employ on Leave become a Military Charge, and he becomes subject to Military Rules on his fifty-fifth birthday whether his Leave was granted in the Military or the Civil Department. Superannuated, Covenanted

Section **15**.—An Uncovenanted Officer is eligible, after he attains the age of fifty-five years, for Privilege and Uncovenanted Officers.

* Applies to all Officers.

Leave, and also for any Special Leave (*Chapter V of this Code, and Section 6 of Supplement F*) to which he may be otherwise entitled.× Any Leave, other than Privilege Leave or Special Leave, granted to an Uncovenanted Officer before the date on which he attains the age of fifty-five years, ceases to have effect on this date.

Section **16**.*—A Local Allowance is given in full to the Officer actually present on duty, and is not taken into account in calculating Leave Allowances or Pension. A Local Allowance may be drawn by an Officer absent from his office on duty for a period not exceeding one month,† provided that it is not drawn by a *locum tenens*.

Covenanted Civil Servants and Uncovenanted Officers who are Barristers.

Section **17**.—A Covenanted Civil Servant is not entitled to any special privileges by reason of his being a Barrister, and an Uncovenanted Officer is not entitled to any special privileges by reason of his being a Barrister unless, on his first admission to the Service, he is appointed to some Office in which the Local Government, with the sanction of the Government of India, has declared it to be necessary on public grounds to employ a Barrister.

CHAPTER IV.

FURLOUGH.

[NOTE.—The Local Government in the Civil Department may grant Furlough *in India* under Military Rules to a Military Officer subject to Military Rules‡ who is entitled to furlough under Chapter I of the Rules published by G. G. O. in Military Department,

* Applies to all Officers.

† An officer who is absent on duty for more than a month is not entitled to draw his Local Allowance for any part of such absence.

‡ Under Rule, an Officer proceeding on Furlough forfeits, *ipso facto*, his lien on any Acting Appointment he may have held up to that time. Consequently, a Military Officer, with no substantive appointment in the Civil Department, loses, on proceeding on Furlough, his lien on any Temporary or Officiating Appointment in the Civil Department that he may have held. It is not, therefore, competent to a Local Government in the Civil Department to grant Furlough under Military Rules to such an Officer; but if a Local Government is prepared to re-employ a Military Officer so situate in the Civil Department immediately on the expiry of his Furlough, it may, with reference to the note prefixed to Chapter IV of the Civil Leave Code, grant him, in the Civil Department, Furlough in India under Military Rules. (*3453, dated 16th October 1878.*)

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Section 15.

Page 146.

After " entitled " *add* " and for no other kind of leave." (117)

CHAPTER III.

Page 146.

Add—

Section 17A.—Subject always to the provisions of any Statute applicable to the case, the Local Government may at its discretion grant leave of absence from duty otherwise than under the rules of this Code and its Supplements.

Provided that—

(1) such leave may not be granted in combination with any leave;

(2) an officer absent from duty on leave so granted shall receive no absentee allowance; and

(3) if he is a Covenanted Civil Servant or a Military Officer subject to Civil Rules, he shall retain no lien upon any office.

[NOTE.—This Section does not refer to casual leave for short periods. Such leave is not recognised and is not subject to any Rule. Technically, therefore, an officer on casual leave is not treated as absent from duty; and his salary is not intermitted. (118)

No. 171, dated 25th February 1874.* Such Furlough should be granted only upon a certificate by the Government in the Military Department of the Presidency to which the Officer belongs, that he is entitled thereto; and a copy of the Order granting the Furlough should be sent to that Government.

A Local Government may not, in the Civil Department, grant Furlough *out of India* under Military Rules to any Military Officer subject to Military Rules.]

Aggregate admissible.

Section **18**.—The amount of Furlough admissible to a Covenanted Civil Servant or a Military Officer subject to Civil Rules and the aggregate amount of Furlough and of Special Leave With Allowances, admissible to an Uncovenanted Officer, is six years. All the Rules in this Code are subject to this limitation.

Explanation.—The following Leave under other Rules is counted as Furlough under this Section :—

in the case of a Covenanted Civil Servant :—Furlough, and Leave With Allowances on Medical Certificate, under former Rules;

1. Leave of the kind described in Section 2 (*h* 5) and Junior Furlough under the Rules in force before the 8th June 1855, are not counted against an Officer under this Section.

in the case of a Military Officer subject to Civil Rules :—Furlough under Rules 1 and 6 of the Military Furlough and Leave Rules of 1875;

in the case of an Uncovenanted Officer :—Furlough, and Leave With Allowances on Medical Certificate, and Leave on Private Affairs, under former Rules, or under the Rules in Supplement F to this Code.

Furlough earned.

Section **19**.—The amount of Furlough "earned" by an Officer is one-fourth of his Active Service.

1. Leave of the kind described in Section 2 (*h* 5) counts as Active Service under this Section.

Proviso.—Provided that, in making this calculation for an Uncovenanted Officer, only half of the Active Service rendered by him in offices other than those included in Schedule A, shall be taken into account.

1. The whole of the Active Service rendered by the Officer while officiating in any of the offices included in Schedule A is to be taken into account.

* See Appendix CI.

Amount due.

Section **20**.—The amount of Furlough "due" to an Officer is the amount which he has earned, diminished by—

in the case of a Covenanted Civil Servant:—

(1) the Furlough which he has enjoyed under these or any former Rules, except Junior Furlough under the Rules in force before the 8th June 1855;

(2) the excess over one year in the amount of Leave With Allowances on Medical Certificate, which he has enjoyed under former Rules.

in the case of a Military Officer subject to Civil Rules—

(3) the Furlough which he has enjoyed under the Rules of this Code, or Rules 1 and 6 of the Military Furlough and Leave Rules of 1875.

in the case of an Uncovenanted Officer:—

(4) the Furlough, or Special Leave With Allowances, which he has enjoyed under these or any other Rules;

(5) the Leave on Private Affairs, or on Medical Certificate With Allowances, which he has enjoyed under the Rules formerly applicable to him.

Proviso.—Provided that if more than two years' Furlough be due to an Uncovenanted Officer when he first becomes subject to these Rules, the excess shall be cancelled.

Amount admissible after three years' service.

Section **21**.—To an Officer who has rendered three years' Continuous Service, Furlough for not more than two years may be granted, as follows:—

on Medical Certificate:—unconditionally; *See Section 51, Rules 7 to 15.*

without Medical Certificate:—subject to these provisos;—

(1) that the Furlough be due to him;

(2) that he have rendered eight years' Active Service;

(3) that the whole number of Officers absent on Furlough and Special Leave do not exceed

the limit (if any) appointed by the Government of India.

Limit. 1. Except on Medical Certificate, or on very Urgent Private Affairs, Furlough or Special Leave may not be granted to a Covenanted Civil Servant or a Military Officer subject to Civil Rules, in Oudh, the Central Provinces, British Burma, Assam, Ajmir, Mysore and Coorg, and Berar, if one-fifth of all the Officers serving in the same Commission are already absent on Furlough or Special Leave. Elsewhere, it may not be granted, if one-fifth of the whole number of Covenanted Civil Servants or Military Officers subject to Civil Rules serving under the orders of the same Local Government are already absent on Furlough or Special Leave.

Extension. *Section* **22**.—Furlough granted under Section 21 may, on Medical Certificate, be extended to not more than three years.

After less than three years' service. *Section* **23**.—To an Officer who has not rendered three years' Continuous Service, Furlough for not more than one year may be granted on Medical Certificate.

Extension. *Section* **24**.—Furlough granted under Section 23 for less than one year may, on Medical Certificate, be extended to not more than one year.

Lien. *Section* **25**(*a*).—Subject to his good conduct and efficiency, an Officer on Ordinary Furlough has a Lien on his substantive appointment, or on a substantive appointment of a like character and not less pay.

On Ordinary Furlough. *Explanation*.—Ordinary Furlough includes—

(1) the first two years of each separate period of Furlough under Section 21, including any extension under Section 22;

1. Ordinary Furlough can, under no circumstances, extend beyond two years at one time.

(2) so much of Furlough under Section 23, including any extension under Section 24, as may be due: Provided that the Officer have rendered six months' Continuous Active Service.

On other Furlough. (*b*). On Other Furlough, a Covenanted Civil Servant or a Military Officer subject to Civil Rules has no Lien; but an Uncovenanted Officer has a Lien.

May not be surrendered. 1.* An Officer may not surrender his Lien; and except on the ground of the Officer's misbehaviour or inefficiency, a Local Gov-

* Applies to all Officers.

ernment may not fill up substantively, even for a time only, an appointment on which an Officer has a Lien, without transferring the Officer to another substantive appointment of not less pay. The saving which accrues to the State by paying Acting, instead of Substantive, Allowances, must be carefully secured as a set-off against the cost of Leave Allowances.

Joining. 2.* An Officer may have a Lien on an appointment without having actually joined it.

Promotion. 3.* An Officer on Furlough has no claim to substantive promotion; but there is no objection to such promotion. (*See Section 8.*)

Acting. 4.* An Officer on Furlough has no Lien on an Acting Appointment.

5. An Officer cannot obtain Ordinary Furlough or retain allowances under Section 27 unless he has a substantive appointment. A Military Officer who has no substantive Civil appointment continues subject to Military Rules and can only get Military Furlough Allowances.

Section **26.**—An Officer is not entitled, at the end of Furlough or Special Leave, or Subsidiary Leave affixed thereto, to resume, as a matter of course, without further orders, the particular appointment which he vacated before his Furlough or Special Leave. He should report his return to duty in the manner prescribed in Section 50, Rule 7, and await orders.

Allowances on ordinary furlough. *Section* **27.**—An Officer on Ordinary Furlough is entitled, subject to the limitations prescribed in Sections 28 and 29, to a Leave Allowance equal to half the Average Salary which he has earned during so much of his Continuous Active Service as is within the three years preceding the day on which he gives up office:

Provided that neither Subsidiary Leave, nor any period during which an Officer has been out of employ in India otherwise than as a penalty for misconduct, shall be included in Active Service under this Section:

Provided also that the Leave Allowances of an Uncovenanted Officer shall, in no case, exceed his actual salary when he takes Furlough.

1. In the case of a Military Officer subject to Military Rules who takes Subsidiary or Preparatory Leave before Furlough, the words "prior to his proceeding on Furlough" in Rule V of the Military Furlough Regulations of the 10th November 1868, shall be understood to mean *before he is relieved of his duties.*

* Applies to all Officers.

Maximum allowance for a Covenanted Servant or a Military Officer

Section **28**.—The Maximum Leave Allowance of a Covenanted Civil Servant or a Military Officer subject to Civil Rules, on Ordinary Furlough, is, if paid at the Home Treasury of the Government of India, £250 a quarter; if paid in India, Rs. 833⅓ a month. The minimum is, if paid at the Home Treasury, £125 a quarter, or his last salary, whichever is less; if paid in India, Rs. 416⅔ a month, or his last salary, whichever is less.

and for an Uncovenanted Officer.

Section **29**.—The Maximum Leave Allowance of an Uncovenanted Officer on Ordinary Furlough is, if paid at the Home Treasury of the Government of India, £200 a quarter; if paid in India, Rs. 666⅔ a month. There is no minimum.

1. An Officer on Furlough does not forfeit his past Leave Allowances by resigning the Service without returning to India.

Allowance on other furlough.

Section **30**.—An Officer on Furlough other than Ordinary, is entitled, if a Covenanted Civil Servant or a Military Officer subject to Civil Rules, to Subsistence Allowance; if an Uncovenanted Officer, to £120 a quarter paid at the Home Treasury, or Rs. 400 a month paid in India, or to one-quarter of the Average Salary defined in Section 27, whichever is less.

Subsistence allowance.

1. The following are the rates of Monthly Subsistence Allowance for a Covenanted Civil Servant or a Military Officer subject to Civil Rules:—

To an Officer of not more than eight years' actual residence in India	Rs. 250
To an Officer of more than eight, but less than twelve years' actual residence in India ...	„ 320
To an Officer of twelve or more years' actual residence in India	„ 400

CHAPTER V.

SPECIAL LEAVE OF ABSENCE.

Amount admissible.

Section **31**.—Special Leave on Urgent Private Affairs may be granted at any time, for not more than six months:

Provided that an Officer who has had Special Leave,

must render six years' Active Service before he can again have such Leave.

1. The corresponding Leave under the Covenanted Civil Service Leave Rules in force before the 1st July 1868, is "Special Leave" within the meaning of this proviso.

2. An Uncovenanted Officer is not debarred from obtaining Special Leave with allowances under this Chapter by reason of his having had Leave on Private Affairs under the Rules in Supplement F, which is Furlough in another form.

Lien. *Section* **32.**—An Officer on Special Leave has a lien on his substantive appointment, or on a substantive appointment of a like character and not less pay, as if he were on Ordinary Furlough.

(*See Rules under Section 25.*)

Allowance. *Section* **33** (*a*.)—For the first six months for which an Officer is on Special Leave, whether the six months be included in the same Leave or not, he is entitled to the Leave Allowance admissible under Sections 27, 28, and 29.

(*b*).—Thereafter, he is entitled to no Leave Allowance.

1. The corresponding Leave under the Covenanted Civil Service Leave Rules in force before the 1st July 1868 is "Special Leave" within the meaning of this Section.

CHAPTER VI.

SUBSIDIARY LEAVE OF ABSENCE.

[NOTE.—Subsidiary Leave of Absence is intended only for the purpose of enabling an Officer to make the necessary arrangements for breaking up or re-organising his household and for the journey to or from the Sea-port, as the case may be; and its duration should be limited to what is necessary for these purposes.]

Amount admissible. *Section* **34***.—Furlough and Special Leave, out of India, begin on, and include, the day of the departure of the vessel in which the Officer sails; and to an Officer taking such Leave, Subsidiary Leave, not ordinarily exceeding thirty days, may be granted from the day on which he gives up office, to the day before that on which his Furlough or Special Leave begins.

Section **35.***—Furlough and Special Leave, out of India, end on, and include, the day before the arrival of

* Applies to a Military Officer subject to Military Rules.

the vessel in which the Officer returns, and to an Officer coming back from such Leave, Subsidiary Leave, not ordinarily exceeding thirty days, may be granted from the day on which the vessel arrives, to the day before that on which he assumes the office to which he may be appointed. (*See Rule 12 under Section 50.*)

On retiring from service.

1. Subsidiary Leave preparatory to his retirement from the Service may be granted to a Covenanted Civil Servant or a Military Officer subject to Civil Rules and, with the previous consent of the Government of India in the Military Department, to a Military Officer subject to Military Rules, to the same extent, on the same conditions, and with the same allowances, as if he were going on Furlough. To an Uncovenanted Officer such leave may be given on half-pay for fourteen days, but only if it causes no additional expense to the State.

[NOTE.—An Officer can get no Subsidiary Leave *after* he has retired from the Service.]

For more than thirty days.

2.* Subsidiary Leave may be granted for more than thirty days whenever the Local Government is satisfied that an Officer could not, within thirty days, by the available means of conveyance and by the direct route, reach the Port of embarkation or his Station, as the case may be. Subsidiary Leave may also be prolonged beyond thirty days if the Local Government is satisfied that an Officer who has arranged to start by a particular vessel within the period of Subsidiary Leave allowed to him, is prevented from doing so by a change in the date of the vessel's departure. Subsidiary Leave may not be granted for more than thirty days on Medical Certificate, or upon any other grounds than those set forth in this Rule. Whenever a Local Government grants Subsidiary Leave for more than thirty days, a report of the grant, with the reasons for it, should be made to the Government of India in the Financial Department.

Port of embarkation.

3.* An Officer may leave India, or return to India, by any Port; but the dates by which the beginning and ending of Furlough or Special Leave are determined, are the date of the vessel's departure from the Port where he first meets it, and arrival at the Port where he quits it.

Example.—An Officer sailing from Calcutta in a vessel which touches at Madras, counts by the date of the departure of the vessel from Calcutta, and not from Madras.

Detention for Medical observation.

4.* If a Medical Board or Officer thinks it necessary, under Section 51, Rule 9, to detain an applicant for a Medical Certificate under observation, before finally granting or refusing a Medical

* Applies to a Military Officer subject to Military Rules.

Certificate under the said Rule, the Medical Board or Officer should give a Certificate to the applicant as follows :—

C. D. having applied to us (or me) for a Medical Certificate under Section 51, Rule 8, of the Civil Leave Code, we (or I) consider it expedient, before granting or refusing such a certificate to C. D., to detain him under professional observation for (*) days.

If the applicant appears before the Medical Board or Officer within the period of his Subsidiary Leave, the effect of this Certificate will be to prolong his Subsidiary Leave to the date on which the period mentioned in the Certificate expires.

Persia or Arabia.

5.†‡ An Officer serving in Persia or Arabia may leave the country in which he is serving, or return to it, by any Port (except Aden) or Frontier Town, provided that the journey to or from such Port or Frontier Town must not exceed thirty days. The Certificate showing the date of departure or return must be signed by the British Consul, if there be one, otherwise by the Officer himself.

Pilot.

6.† The date of the departure of a vessel in charge of a Pilot is the date on which the Pilot leaves it at sea; and the date of the arrival of a vessel in charge of a Pilot is the date on which the Pilot is taken on board.

Report required.

7.† An Officer embarking after Subsidiary Leave must report his departure to the Local Government which granted his Leave, and his arrival in England to the Secretary of State.

Usual Subsidiary leave.

8. An order by a Local Government or, in the case of a Military Officer subject to Military Rules, by the Government of India, Madras, or Bombay, in the Military Department, granting to an Officer, proceeding on Furlough or Special Leave, "the usual Subsidiary Leave," must be understood to cover Subsidiary Leave under Section 35 as well as under Section 34; and if, with reference to the Note prefixed to this Chapter, the Local Government or, in the case of a Military Officer subject to Military Rules, the Government of India, Madras, or Bombay, in the Military Department, limits the Subsidiary Leave of an Officer under Section 34, the same limitation will, in the absence of further orders, apply to his Subsidiary Leave under Section 35.

[NOTE.—Subsidiary Leave to a Military Officer subject to Military Rule, whether before or after Furlough, should be granted by the Government of India, Madras, or Bombay, in the Military Department, as the case may be, the duration of the leave only being determined in the Civil Department by general or special orders of the Local Government under which the Officer is employed.]

Section **36.**†—The Subsidiary Leave granted under Section 34, in preparation for Furlough under Section 21 or 23, to an Officer who eventually fails to obtain the

* Here a period not exceeding fourteen days should be inserted.

† Applies to a Military Officer subject to Military Rules.

‡ Applies to all Officers who are subject to the Rules in the Supplements to this Code, excepting Supplement F.

Section 35—*Rule* 8.

Page 154.

Substitute the following for Rule 8 :—

8. The grant of Subsidiary Leave under Section 34 to an Officer proceeding on Furlough or Special Leave implies the sanction for him of the same amount of Subsidiary Leave under Section 35 on his return to duty.[13]

Section 38.

Page 155.

After "34" *add* "(*a*) (1)." (90)

Section 39.

For "35" *substitute* "34 (*a*) (2)." (90)

Medical Certificate required by Section 51, Rule 8 or 11, ends on the day before he resumes office, and may be extended by the Local Government for such period as is necessary to enable the Officer conveniently to rejoin his office.

Section **37**.*—An Officer may take Furlough or Special Leave, partly in, and partly out of, India. But Subsidiary Leave is not admissible under Section 34, unless the Furlough or Special Leave begins as Furlough or Special Leave out of India; or under Section 35, unless it ends as Furlough or Special Leave out of India:

Provided that if an Officer who has obtained Subsidiary Leave, with the intention of taking Furlough or Special Leave out of India, is prevented by sickness or other urgent and adequate reason from embarking within the period of his Subsidiary Leave, the Local Government may order that his Furlough or Special Leave shall begin in India at the end of his Subsidiary Leave, and consequently, without forfeiture of this Leave.

1.* In the absence of such special order, if an Officer remains in India after the end of Subsidiary Leave under Section 34, his Furlough or Special Leave will be held to have begun as Furlough or Special Leave in India, and will be counted from the day on which he gave up office.

Section **38**.—An Officer on Subsidiary Leave under Section 34 has or has not a lien on an appointment, according as he has or has not such lien on the first day of the leave to which it is subsidiary. Lien.

[NOTE.—A Military Officer subject to Military Rules does not lose his lien during Subsidiary Leave preparatory to Furlough.]

Section **39**.—An Officer on Subsidiary Leave under Section 35 has or has not a lien on an appointment, according as he has or has not such lien on the day last preceding the Subsidiary Leave.

Section **40**.—An Officer on Subsidiary Leave is entitled to allowances as follows:— Allowances.

(*a*). If the leave be subsidiary to Special Leave, and the Officer have had leave subsidiary to a former Special Leave: no allowance. Special leave.

1. The corresponding Leave under the Covenanted Civil Ser-

* Applies to a Military Officer subject to Military Rules.

vice Rules in force before the 1st July 186[illegible] is Special Leave within the meaning of this Clause.

2. For the purpose of Subsidiary Leave, the Furlough on Urgent Private Affairs of a Military Officer subject to Military Rules under Section XI of the Military Furlough Regulations of 1868, corresponds with "Special Leave" under the Rules of this Code.

Ordinary furlough.

(*b*). If the leave be subsidiary to Ordinary Furlough, or Special Leave:—the allowance admissible under Section 27, but calculated, in the case of a Covenanted Civil Servant or a Military Officer subject to Civil Rules without the limitations of Maximum or Minimum prescribed by Section 28. The limitations prescribed by Section 29 apply to the allowances of an Uncovenanted Officer on Subsidiary Leave.

Other furlough

(*c*). If the leave be subsidiary to Furlough Other than Ordinary:—the allowance admissible under Section 30.

Without lien.

(*d*). If the Officer, under Section 50, have ceased to have a lien on a substantive appointment—as, for example, if a Covenanted Officer has been absent on Extraordinary Leave in extension of Furlough—in the case of a Covenanted Civil Servant or a Military Officer subject to Civil Rules:—Subsistence Allowance; and in the case of an Uncovenanted Officer:—no allowance.

Privilege leave allowances.

1.* An Officer may draw allowances as if he were on Privilege Leave, for any part of his Subsidiary Leave under Section 34, for which, if he were not going on Furlough or Special Leave, Privilege Leave would be admissible to him. It is to be observed that an Officer who has no lien on an appointment cannot benefit by this Rule (*see Rule 3 under Section 46*).

Military Officer.

2. The allowances of a Military Officer subject to Military Rules during Subsidiary Leave shall be regulated by the Rules which govern the grant of allowances to a Covenanted Civil Servant on Subsidiary Leave, so far as they apply: Provided always that if an Officer have, under the action of the Leave Rules, lost his lien on his appointment, he shall, during Subsidiary Leave, draw allowances under Military Rules: Provided also that the allowances of a Military Officer subject to Military Rules on Subsidiary Leave

* Applies to a Military Officer subject to Military Rules.

Page 156.

Cancel Section 40 (a) 2 and (d) 2. (90)

Section 40 (d) 1.

Page 156.

After "34" *add* "(a) (1)." (90)

After "were not" *add* "retiring from the service, or." (90)

shall not be less than his allowances during the Furlough to which the leave is subsidiary.

[NOTE.—The Subsistence Allowance of a Military Officer subject to Military Rules is that prescribed in Rule 1 under Section 30.]

CHAPTER VII.

PRIVILEGE LEAVE OF ABSENCE.

[The Rules in this Chapter apply to Military Officers subject to Military Rules.]

Limit.

Section **41**.—The amount of Privilege Leave admissible at one time, is limited to three calendar months.

Amount earned.

Section **42**.—The amount of Privilege Leave earned by an Officer is one-eleventh part of the time during which he has been on duty without interruption: Provided that no Privilege Leave can be earned by an Officer by duty done while three months' such leave is due to him, and that, whenever duty is interrupted, all claim to Privilege Leave earned theretofore is forfeited. Absence on Privilege Leave, though not counting as duty, is not an interruption of duty within the meaning of this Section.

1. The calculation must be made as follows:—One calendar month for every eleven complete calendar months of duty, and one day for every eleven days of the balance.

Subsidiary leave not reckoned as duty.

2. Time spent on Subsidiary Leave does not qualify for Privilege Leave: but if an Officer, returning from leave, not before the expiration thereof, be, only for the convenience of the Local Government and not for any fault of his own, prevented from joining an appointment on which he has a lien, or be kept out of employ on Subsistence Allowance, then, duty qualifying for Privilege Leave begins on the day on which he presents himself to the Local Government ready for duty.

Beginning of qualifying service.

3. When an Officer is first appointed to the Public Service, duty qualifying for Privilege Leave does not begin until he takes charge of the office to which he is appointed.

Examination leave reckons as duty.

4. "Examination Leave" may, if the examination for which it is granted be successfully passed, and, unless the Officer has already had twelve months' Examination Leave, count as duty qualifying for Privilege Leave. Examination Leave does not interrupt duty within the meaning of this Section.

Suspension does not reckon as duty.

5. Suspension from office as a penalty for misconduct, is an interruption of duty within the meaning of this Chapter.

In what cases suspension is no interruption to duty.

6. The Suspension of an Officer from office pending enquiry into his conduct interrupts his duty or not as the Local Government

may in each case decide. Time passed under such Suspension does not qualify for Privilege Leave, unless, in any case, the Local Government expressly orders that it shall so qualify.

Absence after the end of leave interrupts duty.

7. If an Officer remains absent after the end of Privilege Leave his duty is interrupted within the meaning of this Section. But if the Local Government considers that his default was due to circumstances beyond his control, it may remit the penalty.

Absence after examination leave or of joining time does not reckon as duty.

8. If an Officer remains absent after the end of Examination Leave, or of Joining Time, the period of absence cannot count as duty qualifying for Privilege Leave, and, unless the absence is accounted for to the satisfaction of the Local Government, it is an interruption of duty within the meaning of this Section.

Military officers.

9. In calculating the Privilege Leave of a Military Officer subject to Military Rules, no distinction should be made between an Officer who has a substantive Civil appointment and an Officer who is merely officiating in the Civil Department. The leave is earned by uninterrupted duty in either the Civil or the Military Department. But such a Military Officer who has taken, in any calendar year, the Privilege Leave which is admissible to him for this year, under the Rules of the Military Department, does not begin to count service for Privilege Leave in the Civil Department until the first day of the following year.

Amount due.

Section **43.**—The Privilege Leave due to an Officer is the Privilege Leave which he has earned, less the period during which he has been absent on Privilege Leave.

Judicial and Educational Officers.

1. To Uncovenanted Judicial and Educational Officers, whose duties are not continuous, and who enjoy regular Vacations during which they are allowed to be absent from duty, Privilege Leave is not admissible, except in case of urgent necessity.

2. The Local Government may, with the sanction of the Government of India, impose a like restriction in the case of Covenanted or Military Officers.*

*2. His Excellency in Council, after full consideration of the correspondence with the several Local Governments upon this question, has determined that it is not necessary to fix any special restriction upon the grant of Privilege Leave to District and Sessions Judges as distinguished from other members of the Covenanted Civil Service. It is true that in most Provinces, the regular transaction of judicial business is ordinarily suspended for a time during each year. But the practice as to closing Courts and the period for which they are completely shut, appear to vary considerably in different jurisdictions; and the vacation is rarely of a sort, which, like Privilege Leave, sets the presiding Officer of a Court absolutely free. It is thus difficult to frame any constant rule which might fairly set off the permanent value of vacation against any formal curtailment of privilege leave, for which even a certain vacation at one season of the year hardly compensates.

3. On the whole, therefore, the Government of India prefer to maintain the existing system, which invests Administrations with full power to consider each application for leave on its merits, and which lays upon them the respon-

Section 43.

Page 158.

Strike out Rules 1 and 2 and the foot-note to Rule 2. (134)

Section **44**.—To an Officer who has been on duty, without interruption, for eleven calendar months, and who has not, for six calendar months, been absent on Privilege Leave, the whole or any part of the Privilege Leave due to him, may be granted. Condition of grant.

1. An Officer applying for Privilege Leave must record a declaration that he has no intention of retiring or of taking Furlough, Special Leave, Subsidiary Leave, Leave on Private Affairs, or Leave on Medical Certificate, for three months after his return to duty. Though not absolutely debarred by this declaration from applying for permission to retire or to take such leave within the three months, he should, if he does so, explain his change of mind. Declaration required.

~~2. If an Officer is, on public grounds, recalled to duty from Privilege Leave, before the whole leave granted to him is ended, Privilege Leave may be granted to him again, even within six calendar months from the date of his return to duty.~~ Recall from leave.

Section **45**.—An Officer on Privilege Leave has a lien on his substantive appointment; he has also a lien on his officiating appointment, so long as it is not resumed by an Officer having a superior lien on it. Lien.

Section **46**.—An Officer on Privilege Leave is entitled to a Leave Allowance equal to the salary which he would receive if he were on duty in the appointment on which he has a lien. Allowances.

1. If Privilege Leave is granted to an Officer who holds an appointment sanctioned only for a limited time and for a special purpose, he is not entitled, during Privilege Leave, to any Special Allowance attached to the appointment. Holding an appointment sanctioned for a limited time.

2. An Officer on Privilege Leave is entitled to a Leave Allowance equal to his salary, even though another Officer be appointed to act for him. Acting allowances.

3. An Officer who has no lien on an appointment is entitled, during Privilege Leave— Without an appointment.

in the case of a Covenanted Civil Servant or a Military Officer subject to Civil Rules—to Subsistence Allowance;

in the case of an Uncovenanted Officer—to no allowance.

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sibility of dealing with it. As judicial functions differ from executive work, so must the reasons upon which Leave can be given or refused differ in each class; but there seems no need for laying down, as to either class, any uniform rule to limit the responsibility of Government. His Excellency in Council believes that Government may best dispose of these cases upon the general principles of guarding the interests of the public service, and allotting, so far as may be possible, equal privileges of relaxation from work to all departments of the publice service. (*Home Department to North-Western Provinces, No. 1104, dated 24th June 1873.*),

Leave taken on transfer.

4. If an Officer, on transfer from one appointment to another, obtains Privilege Leave without joining his new office, his Leave Allowance shall not be less than it would have been if he had joined his new office before taking leave.

House-rent in Bombay.

5. In the Bombay Presidency, an Officer on Privilege Leave may draw the House-rent attached to his appointment, if he places his house at the disposal of the Officer, if any, who officiates for him. The Officiating Officer cannot, in such case, draw the House-rent attached to the appointment. But if the Officer, for a reason which the Local Government considers sufficient, refuses the accommodation placed at his disposal, the allowance is to be drawn by him and not by the Absentee. In the Madras Presidency an Assistant or Head Assistant Collector on Privilege Leave may draw his House-rent unconditionally.

Tentage in Madras and in the Revenue Survey Department, Bombay.

6. In the Bombay Presidency an Officer of the Revenue Survey Department, and, in the Madras Presidency, any Officer on Privilege Leave, may draw his Tentage on the conditions prescribed as to House-rent in the Bombay Presidency in Rule 5; but, in the Madras Presidency, if an Officer already holding an office in a District is appointed to officiate for a Superior Officer in the same District absent on Privilege Leave, the Absentee may draw his tentage, the Officiating Officer in such a case continuing to draw the Tentage of his Grade.

Geological Survey.

7. An Assistant in the Geological Survey of India on Privilege Leave may draw the House-rent and Horse-allowance of his office, provided that they are not claimed by an Officer officiating for him during his absence.

Police Inspector, Madras.

8. A Police Inspector in Madras on Privilege Leave may draw any Horse-allowance to which he is entitled while on duty, provided that such allowance is not claimed by an Officer officiating for him during his absence.

Presidency house-rent or allowance.

9. An Officer may draw Presidency House-rent or Presidency Allowance on Privilege Leave, provided that no extra expense is thereby caused to the State.

Local allowance.

10. A Local Allowance may be drawn by an Officer on Privilege Leave, provided that it is not drawn by his *locum tenens*.

CHAPTER VIII.

EXAMINATION LEAVE OF ABSENCE.

[The Rules of this Chapter do not apply to Officers employed in the Public Works Department, in the Survey Department under the Surveyor General of India, or in the Forest Department: the Rules in this Chapter apply to Military Officers subject to Military Rules, serving in any other Civil Department.]

Examination leave.

1. A Covenanted Civil Servant or a Military Officer subject to

Chapter VIII.

Pages 160 and 161.

Substitute the following for Rules 1, 2, and 3 :—

1. (*a.*) A Covenanted Civil Servant or a Military Officer subject to Civil Rules, who is a candidate for a reward for proficiency in one of the vernacular languages or Sanskrit, or, by the Higher Standard, in Persian, is entitled to Joining Time to and from the place of examination, besides leave for the day or days of examination.

(*b.*) A candidate for a reward for proficiency in Arabic, or for High Proficiency in Persian, may be allowed leave for one month, and, if he passes the examination, for two months.

(*c.*) The maximum Leave for two months authorised by Clause (*b*) may be prefixed to the examination if the candidate undertakes to spend it in study under professional tuition at a Presidency Town.

(*d.*) An Officer, who, after passing an examination for High Proficiency in Arabic or Persian, is a candidate for the Degree of Honor in either of these languages may be allowed, instead of the leave for two months provided in Clause (*c*), leave for three months to Persia for Persian ; and to Arabia, Mesopotamia, Egypt or Syria, for Arabic.

2. An Officer on Leave under Rule 1 has a lien on his appointment, substantive or officiating, and is entitled to Leave Allowances as if he were on Privilege Leave for an aggregate maximum period of twelve months.

Civil Rules who is a candidate for a reward offered by the Government for proficiency in one of the vernacular languages, may be allowed leave for one month to attend the examination.

Second month. 2. If he pass the examination, he may be allowed leave for another month.

Allowances. 3. An Officer on Examination Leave has a lien on his appointment, substantive or officiating, and is entitled to Leave Allowance, as if he were on Privilege Leave.

Attendance at departmental examinations. 4. An Officer while absent from his Office or from his Station to attend an obligatory Departmental Examination, or (in the Punjab) an examination in Pushtu or Biluchi, is considered to be on duty.

No preparatory leave. 5. Leave may not be given under Rule 4 to an Officer to prepare for examination, or for recreation after examination. A reasonable time, including the day or days of examination, should be allowed for the journey to and from the place of examination, and nothing more.

Military Officer. 6. Leave may not be granted under this Chapter to a Military Officer subject to Military Rules to enable him to pass an examination under the orders of the Government of India in the Military Department, No. 1009, dated 3rd December 1866.

CHAPTER IX.

JOINING TIME.

[The Rules in this Chapter apply to all Officers.]

Purpose for which allowed. 1. JOINING TIME is the time allowed to an Officer to proceed from one Station to another when his appointment is changed, or when, being unemployed, he is appointed to any office. An Officer is held to be on duty during Joining Time, if he is entitled to allowances.

Period admissible. 2. Joining Time is allowed as follows, excluding Sundays not spent in travelling on a Railway or a Steamer :—

for any part of the journey which may be made by Railway,—one day for every hundred miles :

for any part of the journey which may be made by Steamer,—one day for every hundred miles, or such longer time as the Steamer may actually occupy :

for the rest of the journey,—one day for every ten miles ;

and six days in addition to the whole thus calculated.

Change of appointment during transit. 3. An Officer whose appointment is changed while he is in transit from one appointment to another must join his new office within a period, beginning from the day on which the order changing his appointment reaches him, and calculated in the manner prescribed in Rule 2 : except that, without the special orders of the Local Government, the six days allowed by that Rule, in addition to the time calculated by distance, shall not be granted to him afresh

CHAP. IX.

Joining Time.

At the same station.

4. One day's Joining Time is allowed to an Officer transferred from one office to another at the same Station.

Full joining time not allowed of course.

5. The full Joining Time is allowed only if it is spent, *bonâ fide*, in preparation for, or in making, the journey; and no more than three months may be granted under any circumstances. The Authority which orders a transfer may limit the period of Joining Time.

When leave intervenes.

6. When an Officer, after giving over charge of his office at one Station, on transfer or reversion to another office, takes Privilege or Examination Leave before joining the office to which he has been transferred, or to which he has reverted; or when an Officer, while on Privilege or Examination Leave, is transferred to a Station other than that from which he took leave,—he is entitled to Joining Time in addition to his Privilege or Examination Leave. The Joining Time of an Officer transferred during Privilege or Examination Leave, will be counted from his old Station, or from the place where he receives the order of transfer, whichever calculation would entitle him to the less Joining Time.

Charge of office.

7. Unless, for special recorded reasons, the Authority under whose orders the transfer takes place, permits or requires it to be made in any particular case, elsewhere or otherwise, the charge of an office must be made over at its Head-quarters, both the Relieving and the Relieved Officers being present.

Head-quarters on the staff of Government.

8. As a general rule, and subject to any special orders to the contrary in particular cases, the Head-quarters of an officer on the staff of a Government, as, for instance, a Secretary to a Government, the Sanitary Commissioner with the Government of India, or a clerk in a Government Secretariat, are the Head-quarters, for the time being, of the Government to which he is attached.

Of other officers.

9. The Head-quarters of any other Officer are either the Station which has been declared to be his Head-quarters by the Authority which appoints him, or, in the absence of such declaration, the Station where the records of his office are kept.

10. If an Officer is authorised under Rule 7 to make over charge of an office elsewhere than at its Head-quarters, any Joining Time to which he may be entitled shall be reckoned from the place at which he actually makes over charge.

Furlough taken during transit.

11. If an Officer, during transit from one appointment to another, obtains Furlough on Medical Certificate (with or without Subsidiary Leave prefixed), he may be allowed only the Joining Time calculated for the journey from his old Station to the furthest place to which he has proceeded on his route to his new Station.

Allowances.

12. Except in the case mentioned in Rule 13, an Officer draws, during Joining Time, the following allowances:—

Pay.

(*a*) as regards Pay,—

the pay which he drew in his old appointment, or that which he draws in his new, whichever is less:

Chapter IX.

Rule 12.

Pages 162 and 163.

Substitute—

12. Except in the case mentioned in Rule 13, an officer draws during joining time the pay or salary which he drew in his old appointment or that which he draws in the new whichever is less; provided that an officer transferred from one officiating appointment to another shall not draw any acting allowance during joining time if he had not a superior lien on either of the officiating appointments to that of the officer relieved by or relieving him. (135)

No. 65.

C. L. C.

Chapter IX.

Page 163.

Insert the following under this Chapter :—

12 *A*. When, under Rule 6, an Officer combines Privileg or Examination Leave and Joining Time, his Allowances durin Joining Time, that is to say, for the period, not exceeding th Joining Time admissible by Rule, in excess of his Privilege o Examination Leave, during which he is absent from duty, must b calculated at the rate at which his Joining Time Allowance woul have been calculated if he had joined the office to which he is trans ferred directly. (65)

Section 47.

Page 163.

For "Sections 34 and 35" *substitute* "Section 34." (90)

(*b*) as regards Acting Allowance;—

(1) if transferred from an officiating appointment to an appointment, officiating or substantive, with not less Salary,—the Acting Allowance of his old appointment; Acting allowance.

(2) if, after being promoted from a lower to a higher officiating appointment without losing his lien on the lower one, he is relieved of the higher and returns to the lower officiating appointment, or to another appointment, officiating or substantive, with not less Salary,—the Acting Allowance of the lower officiating appointment:

(3) Provided that no Officer can draw Acting Allowance for any appointment after another Officer having a superior lien on it has resumed it.

13. An Uncovenanted Officer who has no substantive appointment, is not entitled to any allowance during Joining Time; but if such an Officer, officiating in an office, is transferred to another office under the same Local Government, the Local Government may allow him to draw, during his transit, the allowance to which he would be entitled under Rule 12. Uncovenanted officer without appointment.

14. The Rules in this Chapter apply to a Ministerial Officer who, with the consent of the Head of his Office, or under the orders of competent Authority, is transferred to service in another office on grounds of public convenience only and not at his own request, for his own advantage, or in consequence of any fault on his part. Ministerial officers.

15. An Officer who does not join his new appointment within his Joining Time is entitled to no allowances after the end of his Joining Time, and, after a week, ceases to have a lien on any appointment. But if the Local Government considers that his default was due to circumstances beyond his control, it may exempt him from the loss of his appointment. Cessation of allowances.

CHAPTER X.

EXTENSION AND COMMUTATION OF LEAVE.

Section 47.*—Except as provided in Sections 34 ~~and~~ 35, no kind of Leave can be granted in continuation of Extension and commutation.

* In 1871 two Officers were allowed to take Special Leave of Absence under Chapter V, in continuation of Privilege Leave under Chapter VII. The con-

any other kind; but any Leave granted under the Rules in this Code may be, retrospectively, changed for any other kind or period* of leave which might, at first, have been granted:

Provided that the grant, or extension of Furlough, under this Rule (otherwise than on Medical Certificate), is subject to Proviso (3) under Section 21.

1. Except by the Secretary of State, Leave cannot be changed or extended, without the permission of the Local Government which originally granted it.

2. In the case of a Military Officer subject to Military Rules leave may be retrospectively commuted by the Authority which granted it to any other kind of leave which the said Authority would have been competent to allow when the original leave was sanctioned.

3. † An Officer on Furlough or Special Leave in Europe, who wishes to have his Leave extended, must apply to the Secretary of State for India at least three months before the end of his Leave.

4.† Examination Leave may be granted in continuation of Privilege Leave, and Privilege Leave may be granted in continuation of Examination Leave under Chapter VIII, Rule 1, but not in continuation of Examination Leave under Chapter VIII, Rule 2. Otherwise, no kind of Leave, except Furlough on Medical Certificate, may be granted in continuation of Examination Leave.

5.† When Privilege Leave is, on Medical Certificate, retrospectively changed for Furlough out of India, so much of the Leave passed before the departure of the vessel in which the Officer sails may be treated as Subsidiary Leave, under Section 34, as might have been granted as Subsidiary Leave, if the Officer had originally obtained Furlough and not Privilege Leave, notwithstanding that a portion of such retrospective Furlough has been passed in India.

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cession was made, in each case, on public grounds only, the officers having undertaken to perform certain important public duties in England. The Secretary of State, however, wrote upon the second case:

"In permitting C. D. to take Privilege Leave and Special Leave together, you have followed the course adopted in A. B.'s case.

"Grants of leave in direct opposition to the Furlough Rules cause inconvenience and create embarrassing precedents, and I request that no similar concession may be granted in future."—(*Financial Despatch No. 65, dated 15th February* 1872.)

* See Rule 6 under Section 52, Civil Pension Code.

† Applies to a Military Officer subject to Military Rules.

Section 47.

Page 164.

Substitute the following for the first sentence of Rule 4 :—

Examination Leave may be prefixed to Privilege Leave; and Privilege Leave may be (1) prefixed to the three months' Examination Leave admissible under Clause (*d*), Rule 1, in Chapter VIII, on condition that it is spent in one of the appropriate countries mentioned in that Clause; and (2) affixed to the one month's Examination Leave which may be prefixed to the Examination Leave under Clause (*b*) of that Rule; otherwise it may not be combined with any other Leave granted under that Chapter. (87)

CHAPTER XI.

PAYMENT OF LEAVE ALLOWANCES.

[This Chapter applies to all Officers.]

Allowances how payable.

Section **48** (*a*).—Leave Allowances are payable in India after the end of each Calendar month; but an Officer on Furlough or Special Leave out of India may, at his option, take payment at the Home Treasury of the Government of India.

1. Privilege leave allowances are not payable out of India; but in case an Officer leaving India should afterwards want his leave to be commuted, he should take with him a certificate as follows :—

PRIVILEGE LEAVE CERTIFICATE.

(*Name of, and designation of office held by the, Officer.*)

1. Government under which employed.
2. Date of beginning of Leave.
3. Date on which Leave will end.
4. Whether Furlough or Special Leave is admissible on Privilege Leave being commuted, and if so, to what extent and on what terms.

(NOTE.—If Furlough or Special Leave is granted, the Leave Allowances admissible will not be paid out of India until the Officer produces a Last Pay Certificate.)

(Place) (Signature)

(Date) *Accountant General.*

N. B.—*Privilege Leave Allowances are not payable out of India.*

Last-pay certificate.

2. An Officer embarking on Furlough or Special Leave must take with him a Last Pay Certificate, whether he intends to draw his allowances in England or not. (*For Rules, see Chapter XII.*)

Where payable.

3.* A Gazetted Officer on leave in India may draw his allowances at any treasury in India. An Officer on Furlough or Special Leave out of India may draw his allowances in India either at his own Head-quarters, or at the Chief Town of the Province, or Capital Town of the Presidency in which he is employed.

Extension or commutation of leave.

4.* If the Leave of an Officer, whether in or out of India, is extended or commuted, the Accountant General within whose jurisdiction the Officer is employed, must, on receiving advice of such extension or

* Does not apply to Officers in the Public Works Department. There are special Departmental Rules for these Officers.—(*See Appendix B.*)

commutation, forthwith communicate it to the Accountant General within whose jurisdiction his Leave Allowances are drawn. He should also communicate any other circumstances connected with the Leave which may be required to be known to the Accountant General who passes the Officer's Leave Allowances.

Personal appearance or Life Certificate.

5.* If a Gazetted Officer signs his bill himself, he must either appear in person at the place of payment, or furnish a Life Certificate by a Covenanted Civil Servant, a Magistrate, a Notary, a Banker, or a Minister of Religion. If he draws his allowances through an authorised Agent, the Agent, whether he has or has not a Power-of-Attorney, must either furnish a Life Certificate as aforesaid, or execute a bond to refund over-payments. A Life Certificate may be given periodically, a bond being given to cover intermediate payments not supported by the Life Certificate.

Stamp duty.

6.* The proper stamp duty upon bonds executed under this Rule is that chargeable upon Indemnity Bonds according to the First Schedule of the Indian Stamp Act I of 1879.

Ministerial Officer.

7.* A Ministerial Officer on leave in India can draw his Leave Allowances only at the treasury where his salary is paid, and under the signature of the Head of his Office, who is responsible for any over-charges: no other security is required.

Exchange with England.

(*b*). If payment be taken at the Home Treasury, it is made quarterly, and rupees are converted into sterling at the rate of exchange fixed, for the time being, for the adjustment of financial transactions between the Imperial and the Indian Treasuries.

Exception.—The Absentee Allowance of a Military Officer on Furlough out of India and drawn in England, who elected the Military Furlough Rules of 1868 before the 1st July 1871, is paid at the rate of two shillings the Government rupee.

1. Payment is made from the Home Treasury as follows:

On fixed Quarter Days (namely, March 25th, June 24th, September 29th, December 24th), a form is supplied on application to the India Office, containing,

(1)—a Life Certificate to be filled up in the manner directed on its face:

(2)—a Cheque for the amount due (which is specified) for the Officer to fill up, and which may be cashed through any Banker.

2. If an Officer's contract of service contains a stipulation to the effect that "a pound sterling shall be considered equal to, and calculated at," any specified rate, his Leave Allowances are converted into sterling at this rate.

* Does not apply to Officers in the Public Works Department. There are special Departmental Rules for these Officers.—(*See Appendix B.*)

No. 128.

C. L. C.

Section 48 (a)

Rule 5.

Page 166.

Strike out "or" *before* "a Minister," *and, after* "Religion,' *add* "or a responsible officer of Government." (128)

Section 48 (b).

Page 166.

Add to this Section—

Unless otherwise arranged, this rate of exchange is also applied in the payment of leave allowances in a Colony. If any payments are made at a different rate, or, otherwise, erroneously, they should be adjusted in subsequent payments. (19 A. G.)

3.* If an Officer receives an advance of pay in England to enable him to return to duty in India, the advance will be recovered at the rate, or rates, of exchange fixed for the adjustment of financial transactions between the Imperial and Indian Governments for the year in which the advance was made. This Rule will also apply when an advance is made in England to a person appointed there, proceeding to India to join his appointment.

Section 49.—The Leave Allowances of an Officer who, in the course of the three years immediately preceding the beginning of his Leave, has served in any appointment the pay or salary of which has been derived either wholly or in part otherwise than from Indian Revenues, shall be charged according to the "Rule of Proportions." This Rule does not, however, apply to an Officer who has made a contribution under Section 46 of the Civil Pension Code to cover his Leave Allowances, or who is specially exempted from the operation of that Section. Nor does this Rule apply to a Military Officer subject to Military Rules who either vacates his Civil appointment when going on leave and reverts to the Military Department, or receives only English Furlough Pay; or to a Covenanted Civil Servant or a Military Officer subject to Civil Rules who receives only Subsistence Allowance: in these cases, the allowance admissible is charged to the British Indian Revenues.

CHAPTER XII.

LAST PAY CERTIFICATE.

[This Chapter applies* to all Officers, excepting Officers in the Public Works Department.]

Last Pay Certificate.

1. No Officer (unless he has been newly appointed to the Service of Government) can begin to draw pay or allowances at any treasury in India, or at the Home Treasury of the Government of India, without producing a Last Pay Certificate from the treasury where his pay or allowances were last disbursed, or from the Accountant General within whose jurisdiction this treasury is.

* The Comptroller General is authorised to issue to any Officer in Civil Employ an advance of pay to the end of the month in which he may arrive from Europe, or to the end of the ensuing month, provided that, in the latter case, the amount payable to him shall not exceed Rs. 1,000.

Personal appearance.

2. An Officer must, if possible, appear personally at the office where his Last Pay Certificate is completed.

Military Officers.

3. A Military Officer subject to Military Rules proceeding on Furlough cannot obtain a Last Pay Certificate until he submits to the Accountant General a certificate by the Government in the Military Department of the Presidency to which he belongs, in Form A, B, or C (as the case may be) contained in Appendix D.

4. The following Rules and Forms are prescribed for the issue of Last Pay Certificates in India.

Case I.—To an Officer proceeding on Leave to Europe and embarking in the Presidency or Province in which he is employed.

Case II.—To an Officer proceeding on Leave to Europe and embarking in another Presidency or Province;

(*a*) If he be employed at, or have to pass through, the Station of the Accountant General of his own Presidency or Province;

(*b*) If he be not employed at, and have not to pass through, that Station.

Case III.—To an Officer proceeding on Leave from one place in India to another, whether the two places are, or are not, in the same Presidency or Province;

Case IV.—To an Officer proceeding on duty from one Presidency, Province, or Circle of Account, to another;

Case V.—To an Officer proceeding on duty from one place to another in the same Presidency or Province.

Case I.

Officer embarking in his own Presidency.

The Accountant General should give the Officer a Certificate in Form A, Appendix A, and, save in the cases below excepted, forward a duplicate Certificate, in the same form, to the Local Government for transmission to the Secretary of State.

The duplicate should be so marked on the face and should be an exact copy of the original. If it should be found, after the Original Certificate has been furnished, that an alteration is necessary, an amended Certificate and duplicate should be issued.

Exceptions.—(1). If the Officer embark in British Burma, the Accountant General should forward the duplicate direct to the Comptroller General for transmission to the Secretary of State.

(2). If the Officer embark at Calcutta, the Accountant General should, in like manner, forward the duplicate to the Comptroller General, after filling up the blanks in the Pilot's Certificate at its foot.

Case II (*a*).

Officer embarking in another Presidency.

The Accountant General should pay to the Officer* his allowances up to the date of his departure from the Accountant General's

* The Officer, if he be not employed at the Accountant General's Station, should bring a Last Pay Certificate, in a form similar to Form M, from the Officer in charge of the treasury where his salary was last disbursed.

Page 168.

Insert the following Rule :—

5. If it becomes necessary to amend a Last-Pay Certificate in Form A or B, the amended Certificate should not be forwarded to the Officer, but to the Local Government, for transmission to the Secretary of State with appropriate explanations, direct, or through the usual channel, [35]

Station, and should give him a Certificate in Form B, Appendix A, leaving the 7th, 9th, and 10th spaces blank, and send a duplicate after signing the letter on the reverse, to the Accountant General or (if there be no Accountant General) to the Officer in Charge of the Treasury at the port at which the Absentee intends to embark for Europe. The Accountant General or Treasury Officer at the port of embarkation should follow the instructions in the letter addressed to him, and return the original form to the Officer. If he be an Accountant General, he should forward the duplicate to the Local Government for transmission to the Secretary of State, and address a letter in the Form E, Appendix A, to the Accountant General of the Officer's Presidency or Province; but if he be a Treasury Officer, he should forward the duplicate to the Accountant General of his own Presidency or Province, who will forward it to the Local Government for transmission to the Secretary of State, and address a letter in the Form F, Appendix A, to the Accountant General of the Absentee's Presidency or Province.

CASE II (*b*).

The Accountant General should send to the Officer a Certificate in Form C, Appendix A, leaving the 7th, 9th, and 10th spaces blank, and forward a duplicate to the Accountant General or Treasury Officer at the port at which the Officer intends to embark for Europe. Before the Officer's departure from his Station, the Officer in Charge of the Treasury from which he last drew pay should fill up and attest the Certificate at the end of the original Form C. The Accountant General or Treasury Officer at the port at which the Officer intends to embark should follow the instructions in the letter to his address on the back of Form C, and after copying the entries and signature from the Certificate at the end of the original form into the duplicate, should return the original form to the Officer. If he be an Accountant General, he should forward the duplicate Certificate to the Local Government for transmission to the Secretary of State, and forward a copy of the Certificate at the end of the form to the Accountant General of the Absentee's Presidency or Province, with a letter in the Form G, Appendix A; but if he be a Treasury Officer, he should forward the duplicate Form E to the Accountant General of his own Presidency or Province, who will send it to the Local Government for transmission to the Secretary of State, and forward a copy of the certificate at the end of the form to the Acountant General of the Absentee's Presidency or Province, with a letter in the Form H, Appendix A.

But in the case of a Covenanted Civil Servant, or a Military Officer whether subject to Civil or Military Rules, or an Uncovenanted Officer subject to the Rules of this Code, if the Officer's appointment have been changed within the period, on his average salary for which his Leave Allowance is to be calculated, the

rate of Leave Allowance will sometimes depend on the date on which he may make over charge of his office, and the Accountant General may not be aware of that date at the time the Last Pay Certificate is prepared. In such cases the Accountant General should send to the Officer a document in the Form D, Appendix A, leaving the 7th, 8th, 10th, and 11th spaces on the face of the form blank, and should forward a duplicate to the Accountant General or Treasury Officer at the port at which the Officer intends to embark. Before the Officer's departure from his Station, the Officer in Charge of the Treasury from which he last drew pay should fill up the 8th space on the face of the original form, and fill up and attest the Certificate at the end of that form. The Accountant General or Treasury Officer at the port at which the Officer intends to embark should follow the instructions in the letter to his address on the back of the form, and having copied in the duplicate form the entry in the 8th space on the face of the original form, and the entries and signature in the Certificate at the end, should return the original form to the Absentee. If he be an Accountant General he should forward the duplicate to the Local Government for transmission to the Secretary of State, and send a copy of the Certificate at the end of the form to the Accountant General of the Absentee's Presidency or Province, with a letter in the form K, Appendix A; but if he be a Treasury Officer, he should forward the duplicate Form D to the Accountant General of his own Presidency or Province, who will send it on to the Local Government for transmission to the Secretary of State, and forward a copy of the Certificate at the end of the form D to the Accountant General of the Absentee's Presidency or Province, with a letter in the Form L, Appendix A.

CASE III.

Proceeding on leave to another place in India.

The Officer should obtain a certificate in Form A, in Appendix A, from the Accountant General of his Presidency or Province: but if he is not proceeding to any place out of that Presidency or Province, the 12th space in the certificate may be left blank.

CASE IV.

Proceeding on duty to another province.

The Officer should obtain a Certificate in the Form M, Appendix A. If he be employed at the Station of the Accountant General of his Presidency or Province, the Certificate should be given by that Officer. If he have to pass through that Station on his way to his new Presidency or Province, the Certificate should be given by the Officer in Charge of the Treasury from which he last drew pay, and countersigned by the Accountant General. If he be not employed at, and have not to pass through, the Accountant General's Station, the Certificate should be given by the Officer in Charge of the Treasury from which he last drew pay, and a duplicate of it should be forwarded by the Treasury Officer to the Accountant

C. L. C.

Section 50.

Page 171.

Add the following to Rule 1.:—

An Officer whose furlough was granted or has been extended on medical certificate is required to produce a certificate of fitness before he can be permitted to return to duty. Ordinarily, he must obtain this certificate from the Medical Board of the India Office; but, in special cases, particularly if the Officer be residing at a distance of more than sixty miles from London, the Secretary of State will, at his discretion, accept a certificate from two medical practitioners in lieu thereof. (83)

General for countersignature and transmission to the Accountant General of the transferred Officer's new Presidency or Province.

CASE V.

To another place in the same province.

The Officer should obtain a Last Pay Certificate in the Form M, Appendix A, from the Officer in Charge of the Treasury from which he last drew pay.

CHAPTER XIII.

RETURN TO DUTY.

[This Chapter applies to all Officers, including Military Officers subject to Military Rules, in respect to Leave of Absence granted in the Civil Department.]

Overstayal of leave.

Section **50**.—An Officer who remains absent after the end of his Leave is entitled to no allowance for the period of such absence, and ceases to have a lien on any appointment,

if his leave was Furlough,—immediately; and

if it was Special or Privilege Leave,—after a week.

Permission to return to duty.

1. An Officer on Furlough or Special Leave in Europe may not return to India without obtaining the permission of the Secretary of State. He must apply for this permission at least three months before the end of his Leave.

Compulsory retirement in England.

2. If a Local Government considers it inexpedient that an Officer should return from Furlough or Special Leave in Europe to duty in India, it should furnish a complete statement of the circumstances to the Secretary of State (in the case of the Government of Madras or Bombay, direct, or otherwise, through the Government of India), if possible, when the Furlough or Special Leave is granted, but, in any case, in time to enable the Secretary of State to take any measures that may seem to him necessary before the Officer would, in ordinary course, be permitted to return to duty. The report to the Secretary of State should reach the India Office, at latest, three months before the end of the Officer's Leave.

Notice of compulsory retirement.

3. If a Local Government decides, before an Officer whom it has the power to remove from the Service leaves India, that he shall not be permitted to return to duty in India, it should give notice to him before he leaves India, so that any remonstrance which he may wish to make, may be considered on the spot by an Authority fully cognisant of the facts of the case. Such notice should not be postponed until after the Officer's departure and then communicated to him through the Secretary of State.

CHAP. XIII. **Return to Duty.**

Notice of removal for ill-health.

4. If the question to be determined is the propriety of removing an Officer for incapacity, whether mental or physical, which is of such a nature that it is not possible to say, before his departure, whether it will be permanent or temporary, the Local Government should report the circumstances fully (in the case of the Government of Madras or Bombay, direct, otherwise through the Government of India) to the Secretary of State for India, in time to enable him to take any necessary measures before the Officer would, in ordinary course, be permitted to return to duty. A communication of this nature should not be made direct to the Officer concerned but only to the Secretary of State.

[NOTE.—These Rules (2 to 4) must not be understood to authorise the grant of Furlough to an Officer who ought to be dismissed or removed from the Service for misconduct or general incapacity.]

Abolition of appointment during leave out of India.

5. In the same way the abolition of the appointment of an Officer absent on leave out of India should be communicated to the Secretary of State as long as possible before the Officer would, in ordinary course, be permitted to return to duty.

Return by board vessel.

6. The grant by the Secretary of State to an Officer on Leave, of permission to return to duty by a particular steamer, is equivalent to an extension of Leave, without prejudice to the Officer's appointment, until the day on which the steamer arrives, but does not give any claim to allowances not admissible by Rule.

Report of return.

7. A Gazetted Officer must report his return to duty to the Local Government under which he is employed. A Bengal Covenanted Civil Servant employed directly under the Government of India, returning from Furlough or Special Leave, must also report his return to the Government of India in the Home Department.

Return to duty more than 14 days before the end of Furlough.

8. An Officer may not, without the permission of the Authority which granted him Leave, return to duty more than fourteen days before the end of Furlough or Special Leave. This permission may be given with such conditions as the Authority granting it may prescribe. ~~An Officer returning from Furlough or Special Leave more than fourteen days before its expiry, without such permission, is entitled to no Subsidiary Leave, save under the special orders of the Government to which he is subordinate. In such case, Subsidiary Leave cannot, under any circumstances, be allowed for more than thirty days, and should not be granted for even this period, if less time will suffice for the journey from the place where the Officer receives permission to return to duty to the Station which he is permitted to join.~~

[NOTE.—This Rule applies to a Military Officer subject to Military Rules; but, he must obtain permission to return to duty from the Local Government.]

Cancellation of unused leave.

9. An Officer permitted to return to duty before the end of his Leave should have the unused part of his Leave formally cancelled

Section 50.

Page 172.

Cancel Rule C, and the last two sentences of Rule 8. (90)

Rule 10.

Page 173.

For "35" *substitute* "34 (*a*) (2)."

Before "Leave" *in the last line add* "Furlough or Special."

by the Authority which granted it; but this is not necessary, if his return to duty is separately notified in the Gazette.

Exemption from loss of appointment, and grant of allowance during Subsidiary Leave after absence without leave.

10. If the Local Government is satisfied that the default of an Officer is due to circumstances beyond his control, it may exempt him from loss of appointment under this Section, but not from loss of allowances during the period of his Absence Without Leave. The Local Government may authorise the payment to an Uncovenanted Officer of as much as it thinks fit of any allowances during Subsidiary Leave under Section [illegible] to which he would have been entitled if he had not remained absent after the end of his Leave.

Absence after end of leave is no interruption of Continuous Service in certain cases.

11. So long as an Officer retains a lien under this Section, or if he is exempted under Rule 10 from loss of appointment, absence after the end of his Leave, though not counting as Continuous Service, does not operate as an interruption of Continuous Service or Continuous Active Service.

Change of appointment during Furlough out of India.

12. If the appointment of an Officer is changed during Furlough or Special Leave out of India, or upon his reporting his return, he must join his new appointment within the Subsidiary Leave allowed him. [*See Section 35.*] Nothing in excess of the allowances admissible for Subsidiary Leave can be passed to him until he joins his new office.

Change of appointment during Furlough in India.

13. If the appointment of an Officer is changed during Furlough or Special Leave in India, he must join his new appointment within his Leave. But the Local Government may allow him Joining Time, if he have not had sufficient notice of the change.

Salary from date of assumption of office.

14. An Officer begins to draw Pay and Acting Allowance from the day on which he assumes the Office (substantive or officiating) to which he may have been appointed, or on which he may have a lien. But if his Leave or Joining Time end on a Sunday or Authorised Holiday, and he take charge before noon on the first working day after such Sunday or Holiday, his assumption of office and the re-arrangement of appointments and allowances (if any), consequent thereon, shall be held to have taken place on the day after that on which his Leave ended. Provided that such re-arrangement (if any) does not involve the transfer of any Officer to another Station, the formal appointment of any Officer to a new office, or the loss of his office by an Officer appointed temporarily to the Public Service. But if the Local Government considers that the strict application of this proviso would be inequitable, or if there is any doubt as to its application, the Local Government shall decide which Officer shall be held to have been in charge, and to which the salary of the office for the Sunday or Holiday shall be paid.

Officer of Pilot or Light Vessel.

15. An Officer or Seaman serving on a Pilot or Light Vessel attached to the Port of Calcutta is considered to have returned to duty on the day on which he reports himself to the Port Officer.

Charge of office after noon.

16. If charge of an office is transferred after noon, the transfer does not affect allowances till the next day.

CHAPTER XIV.

APPLICATIONS FOR LEAVE.

Applications for leave.

Section **51.**—Every Application for Leave is to be submitted to the Local Government.

Rule to be quoted.

1.* When a Gazetted Officer applies for Leave, he should quote the Section or Rule of this Code or its Supplements under which he considers himself entitled to the leave.

Accountant General's report.

2. After obtaining a report from the Accountant General upon the title of the Applicant to the Leave applied for, the Local Government may grant any Leave admissible under the Code.

High Court Officer.

3. Leave to an Officer appointed by a High Court is granted by the Chief Justice, subject, in every case, to the report of the Accountant General, that the Officer is entitled to the Leave.†

Retrospective leave.

4.‡ Leave may be granted with restrospective effect from the date on which it is admissible.

Grant in another Presidency.

5. A Local Government granting Leave to a Bengal, Madras, or Bombay Covenanted Civil Servant serving out of his own Presidency, should inform the Government of India, Madras, or Bombay, as the case may be.

Quarterly return.

6. Each Local Government should, at the end of each Calendar Quarter, submit to the Government of India in the Home Department a statement of Officers of the Bengal Covenanted Civil Service absent on Furlough or Special Leave (including Subsidiary Leave) granted by it.

Local Medical Certificate.

7. An application from an Officer in India for Leave, or Extension, or Commutation of Leave, on Medical Certificate, must be accompanied by a Certificate in the following form, or as nearly in this form as the circumstances allow :—

> *I, A. B.*, Surgeon at, or of, , do hereby certify that *C. D.*, of the Service, is in a bad state of health, and I solemnly and sincerely declare that, according to the best of my judgment, a change of air is essentially necessary to his recovery, and do therefore recommend that he may be permitted to proceed to sea [*or to such place as the Surgeon may think proper, expressing it in the Certificate*].

* Applies to all Officers.
† Applies to leave granted under Supplement F.
‡ Applies to leave granted under any of the Supplements to this Code.

Section.51, Rule 9.

Page 175.

For "*4*" *substitute* "3" and for "35" *substitute* ".34." (90)

Local Medical Certificate by Medical Board.

8. The Applicant must (unless the state of his health absolutely prevent it, or, if he be an Applicant for Furlough in India, unless the Government to which he is subordinate otherwise permit) present himself with two copies of the Statement of his Case, either at the Presidency Town of Bombay, or (if he is an Officer employed in Sindh or the Punjab) at the town of Karachi, before one or more Medical Officers to be appointed to this duty by the Government of Bombay, or, at the seat of the Government under which he is serving, before the Medical Board there, or, if there be no such Board, before one or more Medical Officers to be appointed by that Government, and obtain a Certificate as follows :—

> We (*or* I) do hereby certify that according to the best of our (*or* my) professional judgment, after careful personal examination of the case, we (*or I*) consider the health of C. D. to be such as to render leave of absence for a period of (*x*) months absolutely necessary for his recovery.

Detention for medical observation.

9. Before deciding whether to grant or refuse the Certificate to an Applicant for a Medical Certificate under Rule 8, a Medical Board or Officer may, in a doubtful case, detain him under professional observation during a period not exceeding fourteen days.—(*See Rule under Section 56.*)

Inability to appear before Board.

10. If the state of the Applicant's health be certified by a Covenanted Medical Officer, or by a Medical Officer in charge of a Civil Station, to be such as to make it highly inconvenient for him to repair to the seat of the Government of the Presidency or Province, the Local Government may accept a Certificate from any two Medical Officers, either Covenanted or in charge of Civil Stations, provided neither of them is the regular medical attendant of the Applicant. The certifying Officers need not belong to the same Province as the Applicant.

Exemption by Local Government.

11. If an Applicant for Furlough in India is exempted by a Local Government from appearing at the seat of the Government, he should produce a Certificate signed by at least two Medical Officers, either Covenanted or in charge of Civil Stations, provided neither of them is his regular medical attendant.

Leave of Government indispensable.

12. The grant in Rule 8 of the option of undergoing medical examination at Bombay or Karachi does not confer on the Applicant a right to Leave without the sanction of the Government to which he is subordinate.

Medical report to go with officer.

13. If the Officer is going on Leave out of India, he should take with him one copy of the medical report upon his case.

And duplicate to be sent home.

14.* A duplicate of the medical report upon the case of an Officer going to Europe on Medical Certificate should be forwarded through the Government under which the Officer is employed, for

* Applies to Leave granted under any of the Supplements to this Code.

the information of the Medical Board attached to the India Office, so as to arrive as soon as the Officer arrives in England.

Extension on medical certificate.

15. If an Applicant for an *Extension or Commutation of Leave* on Medical Certificate be residing out of India, and within ~~twenty~~ miles from London, he must produce a Certificate from the Medical Board attached to the India Office, showing the necessity for the Extension or Commutation. If he be residing more than ~~twenty~~ miles from London, certificates in the form given in Rule 8 must be produced from two Medical Practitioners; and he may be called upon to produce other evidence.

No premature application.

16.* An application for Privilege Leave should not be made more than six weeks before the Leave is wanted.

Limit of grant of leave.

17. Unless specially otherwise ordered, Leave must begin within thirty-five days of the date on which it is granted.

Military Officer subject to Military Rules.

18.† An application by a Military Officer subject to Military Rules for Furlough *out of India*‡ must be submitted in the manner prescribed in the Order of the Governor General in Council in the Military Department, No. 34, dated 11th January 1869, to the Local Government. A Local Government receiving such an application from an Officer of the Bengal Army will, if it thinks that the application should be granted, submit it to the Government of India in the Military Department at Calcutta.

Officer of Minor Presidencies serving in his own Presidency

19. The Government of Madras or Bombay receiving such an application from an Officer belonging to its own Army will, after considering in the Civil Department whether the application should be granted, dispose of it in the Military Department.

Serving elsewhere.

20. Any other Local Government receiving such an application by an Officer of the Madras or Bombay Army shall, if it consider that the application should be granted, forward it to the Government of Madras or Bombay, as the case may be, in the Military Department.

Subsidiary leave.

21. In forwarding such an Application, the Local Government, in the Civil Department, will always state, with careful reference to the Note prefixed to Chapter VI, the amount of Subsidiary Leave to be allowed to the Officer, if his application is granted; and the Government of India, Madras, or Bombay, in the Military Department, as the case may be, will, when granting the Furlough, at the same time, grant the Subsidiary Leave recommended by the Local Government in the Civil Department.

Departmental Report.

22. When a Military Officer subject to Military Rules applies for Leave of Absence on Medical Certificate, or proceeds to a Sea-port for the purpose of appearing before a Medical Board, he should communicate his intention to his immediate Departmental Supe-

* Applies to Leave granted under any of the Supplements to this Code.

† *N. B.*—This Rule does not apply to Medical Officers, whose applications must be forwarded through the Local Government to the Adjutant-General.

‡ As to furlough in India see the note prefixed to Chapter IV.

Section 51.

Rule 15.

Page 176.

For "twenty" *in two places substitute* "sixty." (88)

Section 51.

Page 176.

Cancel Rule 21. (90)

Section 52.

Page 177.

Insert the following under this Section :—

[NOTE.—This Section refers to applications registered for a Furlough not yet vacant. The order of date in which such applications are made has no significance. The Section cannot affect applications made for a Furlough already vacant unless they happen to arrive by the same post.] (183)

rior when he sends in his application, or before he leaves his Station, as the case may be. A copy of the order granting Leave on Medical Certificate should be forwarded to such Departmental Superior by the Government which grants the leave.

No-Demand Certificate.

23. No-Demand Certificates are not required from officers going on leave except in the Public Works Department.

24. A Military Officer going on Leave from the Public Works Department, is required to produce a No-Demand Certificate from the Examiner of Public Works Accounts.

Priority of claim.

Section **52**.—If, under the operation of Proviso (3), Section 21, the applications for Furlough (including those under Section 47) cannot all be complied with, Furlough will be granted in the following order:—

First.—To the Applicant to whom most Furlough is due:

Secondly.—Of two or more Applicants to whom the same amount is due;—to him who has rendered longest Continuous Active Service:

Thirdly.—Of two or more such Applicants who have rendered the same Continuous Active Service;—to the Senior.

SCHEDULE A.

By Section 4 (*c*) the Rules of the Civil Leave Code, and not those in Supplement F, apply (subject to specified restrictions in the case of particular Rules) to any one of the following Officers who does not belong to the Covenanted Civil Service or the Army, provided that he was appointed to his Office by the Secretary of State or with his particular sanction:

GENERAL ...	... Officers holding substantive appointments, such as are usually held by Covenanted Civil Servants or Military Officers.
LAND REVENUE	... Officers of the Settlement Department above the rank of Deputy Collector or Extra Assistant Commissioner.
FOREST ...	... Assistant Conservators and Officers of higher rank.
CUSTOMS	... Commissoner, Deputy Commissioner, and Collectors of Inland Customs, Deputy and Assistant Commissioners of Sea Customs.
OPIUM ...	... Sub-Deputy Opium Agents and Officers of higher rank.
POST OFFICE ...	... Presidency Post Masters, Chief Inspectors and Officers of higher rank.
TELEGRAPH ...	... Assistant Superintendents and Officers of higher rank.
ADMINISTRATION	... Assistant and Under Secretaries to Government; Superintendent of Government Printing, Government Central Press, Calcutta.
SURVEY ...	... Trigonometrical, Topographical and Revenue.—Assistant Superintendents of Survey and Officers of higher rank. Geological.—Officers on the Graded List.
FINANCIAL DEPARTMENT	... Officers of the Fifth and Higher Classes.
INDIAN MUSEUM	... Superintendent and Deputy Superintendent.

Schedule A.

MINT ...	... Assistant to the Mint Master, Bombay.
JUDICIAL ...	... Judges of the Chief Court of the Punjab (not being Barristers), Judges and Registrars of Presidency Small Cause Courts, Civil Judges in Oudh, Magistrates of Police in Presidency Towns, Registrars of High Courts.
REGISTRATION ...	... Inspectors General of Registration.
POLICE ...	... District Superintendents and Officers of higher rank.
MARINE ...	.. Port Officers, Deputy and Assistant Port Officers, and Officers of higher rank.
EDUCATIONAL DEPARTMENT...	Officers on the Graded List.
MEDICAL ...	... Uncovenanted Medical Officers graded by the Notification in the Financial Department, No. 2295, dated 25th April 1867.
POLITICAL ...	... Assistant Political Agents.
PUBLIC WORKS	... Assistant Engineers of the Third Grade and Officers of higher rank, Assistant Examiners of Accounts and Officers of higher rank, Officers of the Superior Revenue Establishment of State Railways.

SCHEDULE B.

NOMINAL ROLL OF UNCOVENANTED OFFICERS TO WHOM PERSONALLY, BY SPECIAL PERMISSION OF HER MAJESTY'S SECRETARY OF STATE, LEAVE OF ABSENCE MAY BE GRANTED UNDER THE RULES OF THE CIVIL LEAVE CODE, SUBJECT TO CERTAIN SPECIFIED RESTRICTIONS, INSTEAD OF UNDER SUPPLEMENT F.

Names.	Designation of Office held when the Officers were recommended for admission to the Rules of the Civil Leave Code.
A.	
Adam, R. M. ...	... Deputy Commissioner, Inland Customs.
Adams, J. ...	... Assistant Engineer, 2nd grade, P. W. D., Bombay.
Adamson, J. ...	... Assistant Conservator of Forests, 1st grade.
Addis, H. B. ...	... Assistant Engineer, 1st grade, P. W. D.
Alexander, C. W. W.	... Inspector of Schools, 2nd grade, Lahore Circle, Punjab.
Allan, W. G. ...	... Assistant Conservator of Forests.
~~Amery, C. P.~~ ...	... ~~Deputy Conservator of Forests.~~
~~Anderson, G. G~~ ...	... ~~Superintending Engineer, 2nd grade, P. W. D.~~
Anderson, C. F. ...	... Superintendent of Police, 5th grade, Central Provinces.
Anderson, J. A. ...	... Assistant Engineer, 1st grade, P. W. D.
Anderson, J. G. ...	... Deputy Commissioner, 2nd grade, Oudh.
~~Anderson, J. P. C.~~ ...	... ~~Executive Engineer, 1st grade, P. W. D.~~
Anley, A. ...	... Superintendent of Police, 5th grade, Bengal.
Anley, G. A. D. ...	... Executive Engineer, 2nd grade, P. W. D.
Anthony, A. ...	... Deputy Accountant General, N.-W. P.
Armstrong, C. M. ...	... Sub-Deputy Opium Agent, 3rd grade.
~~Armstrong, L. H. G.~~	... ~~Assistant Engineer, 1st grade, P. W. D.~~
Arnot, Lieut. W. P.	... Master Attendant, Rangoon, and Supdt. of Light-houses.
~~Atkinson, A.~~ ...	... ~~Executive Engineer, 4th grade, P. W. D.~~
B.	
Bagshawe, C. ...	... Assistant Conservator of Forests.
Bailey, B. C. ...	... Superintendent, Telegraph Department.
Baker, E. B. ...	... Superintendent of Police, 1st grade, Bengal.
Baker, J. E. ...	... Medical Officer, Persian Telegraph Department.
Ball, V., *A. B.* ...	... Assistant, 3rd grade, Geological Survey.
(*l*) Barker, J. ...	... Assistant Superintendent, Revenue Survey, 2nd grade, Mysore.
Barker, R. A. ...	... Medical Officer, Beerbhoom.
~~Barker, W. R.~~ ...	... ~~Assistant Engineer, 2nd grade, P. W. D.~~
~~Barnes, F.~~ ...	... ~~Deputy Controller of Public Works Accounts.~~
~~Barnfather, W~~ ...	... ~~Executive Engineer, 2nd grade, P. W. D.~~
Barrett, E. C. ...	... Assistant Superintendent, Revenue Survey, 2nd grade.
Barrett, H. ...	... Deputy Conservator of Forests, 2nd grade, in Canara, Bombay.
Barron, A. H. ...	... Assistant Engineer, 1st grade, P. W. D.
Bartlett, T. W. ...	... Assistant Engineer, 1st grade, P. W. D.
Barwise, J. W. ...	... Chief Inspector of Post Offices in British Burma.
Bayley, R. D. ...	... Executive Engineer, 3rd grade, P. W. D.
Bayley, W. G. ...	... Assistant Controller of Public Works Accounts, 1st grade.
~~Beale, L. A.~~ ...	... ~~Assistant Engineer, 1st grade, P. W. D.~~
~~Bean, L. B.~~ ...	... ~~Executive Engineer, 2nd grade, P. W. D.~~
Beaumont, W. ...	... Deputy Superintendent of Revenue Survey, Madras.
Beckett, H. B. ...	... Assistant Commissioner, 3rd grade, Punjab.
Beckett, J. O'B. ...	... Senior Assistant Commissioner and Settlement Officer, Kumaon.

SCHEDULE A.

Page 181.

Strike out the following name :—

(1) Beglar, J. D., Assistant Engineer, 1st Grade, P. W. D. (Retired). (108)

(2) Buhler, J. G. ... ... Inspector, Educational Department, Bombay.

(3) Campbell, A. C. ... ... Officiating Deputy Commissioner, Goalpara.

Schedule B.

Names.	Designation of Office held when the Officers were recommended for admission to the Rules of the Civil Leave Code.
Beddy, J. F.	Assistant Commissioner, 1st grade, Central Provinces.
~~Begbie, J. D.~~	~~Assistant Engineer, 1st grade, P. W. D.~~
~~Bell, W. A.~~	~~Assistant Engineer, 1st grade, P. W. D.~~
~~Bennett, J.~~	~~Executive Engineer, 1st grade, P. W. D.~~
Benson, C.	Assistant Supdt., Govt. Farms, Madras.
Berrill, E.	Superintendent of Police, 4th grade, N.-W. P.
Berrill, J. M.	Superintendent of Police, 4th grade, Central Provinces.
Beverley, W. G.	Assistant Supdt., Great Trigonometrical Survey, 2nd grade.
Beynon, R. C.	Assistant Supdt., Revenue Survey, Southern Mahratta Country.
Beyts, J. N. C.	Accountant in the Dockyard, Bombay.
Beyts, N. B.	Deputy Supdt., Revenue Survey and Assessment, Guzerat.
~~Bickers, C. L.~~	~~Assistant Engineer, 2nd grade, P. W. D.~~
Biggs, T. H.	Assistant to the Comptroller General.
Billings, W. A.	Deputy Controller of Public Works Accounts.
Bird, G. R.	Assistant Engineer, 1st grade, P. W. D.
Biss, T. W.	Assistant Comptroller General.
Blanford, H. F.	Professor in the Presidency College, Bengal.
Blanford, W. T.	Deputy Superintendent, Geological Survey.
Blissett, T.	Superintendent, Telegraph Department.
~~Blockman, J., B. A.~~	~~Assistant Engineer, 2nd grade, P. W. D.~~
Blood, B. W.	Executive Engineer, 4th grade, P. W. D.
Bolton, W. H.	Deputy Collector in Sind.
~~Bond, F.~~	~~Executive Engineer, 1st grade, P. W. D.~~
~~Bonnaud, W. H.~~	~~Assistant Engineer, 1st grade, P. W. D.~~
Bowden, G.	Assistant Superintendent, Telegraph Department.
Bower, R.	Superintendent of Police, Ajmere.
~~Boyce, E. R.~~	~~Controller of Public Works Accounts, 1st class.~~
Bradley, R.	Assistant Engineer, 2nd grade, P. W. D.
Braham, F. E.	Assistant Engineer, 3rd grade, P. W. D.
Braidwood, J. M.	Assistant Conservator of Forests.
Brand, W. H, ...	Assistant Controller of Public Works Accounts, 2nd grade.
Brandis, D., *Ph. D.* ...	Inspector General of Forests.
Brereton, C.	Assistant Engineer, 3rd grade, P. W. D., Bombay.
Brereton, W.	Assistant Conservator of Forests.
Brockman, W. D.... ...	Executive Engineer, 2nd grade, P. W. D.
~~Brooks, F. G.~~	~~Executive Engineer, 3rd grade, P. W. D.~~
~~Bussa, P. H.~~	~~Assistant Engineer, 1st grade, P. W. D.~~
Browne, B.	Deputy Conservator of Forests, 2nd grade.
Browne, W. J.	Assistant Superintendent, Telegraph Department.
Browning, C. A. R., *M. A.* ...	Director of Public Instruction, Oudh.
Bruce, R. J.	Assistant Commissioner, 2nd grade, Punjab.
Buckle, H.	Assistant Commissioner, 2nd grade, British Burma.
Buckley, A. S.	Assistant Supdt., Revenue Survey and Assessment, Guzerat.
~~Hall, H.~~	~~Assistant Engineer, 2nd grade, P. W. D.~~
Butcher, E. H.	Assistant Superintendent, Revenue Survey, 2nd grade, Mysore.
Butts, H. H.	Assistant Settlement Officer, 2nd grade, Oudh.
Buyers, J. W.	Executive Engineer, 3rd grade, P. W. D.
Buyers, W. S.	Executive Engineer, 2nd grade, P. W. D., Bombay.
Byrne, E. S.	Deputy Accountant General, Assam.

C.

Cairns, J. G.	Assistant Superintendent, Telegraph Department.
Campbell, H. F.	Sub-Deputy Opium Agent, 5th grade.
Campbell, J.	Assistant Superintendent, Revenue Survey, 1st grade.
Campbell, J. A.	Assistant Engineer, 2nd grade, P. W. D.
Campbell, R. P.	Magistrate of Police, Town of Madras.
Cardozo, H. O. C.	Deputy Superintendent of Revenue Survey, Madras.

Schedule B.

Names.	Designation of Office held when the Officers were recommended for admission to the Rules of Civil Leave Code.
Carew, G. O'B.	Dock-master, Bombay.
Cargill, D.	Officiating Superintendent of Police, Oudh.
(1) Carson, H.	Assistant Superintendent, Telegraph Department.
Carter, W. B.	Executive Engineer, 2nd grade, P. W. D.
Cary, W.	Medical Officer in charge of Rohtak.
Castle, C. T.	Superintendent of Police, 4th grade, Etawa, N.-W. P.
Chambers, C., *F. R. S.* ...	Superintendent, Government Observatory, Bombay..
~~Chambers, N. A. R. ... ...~~	~~Assistant Engineer, 2nd grade, P. W. D.~~
Chapman, C.	Assistant Commissioner, Oudh.
Cherry, J. W.	Deputy Conservator of Forests, Madras.
Chisholm, J. W.	Inspector General of Registration, Central Provinces.
~~Christian, B. R. ... ...~~	~~Superintendent of Police, 3rd grade, Berars.~~
Christie, J. T.	District Superintendent of Police, 4th grade, Punjab.
Clark, F. B.	Assistant Superintendent, Revenue Survey, 3rd grade, Mysore.
~~Clarke, G. R. ... ...~~	~~Executive Engineer, 4th grade, P. W. D.~~
Cleghorn, J. P.	Assistant Engineer, 3rd grade, P. W. D.
Cline, G. W.	Assistant to the Comptroller General.
Cloete, H. N. C.	Assistant Engineer, 1st grade, P. W. D., Bombay.
Cole, W. H., *M. A.* ...	Assistant Supdt., Great Trigonometrical Survey, 1st Grade.
Cole, W. T.	Collector of Customs, Kurrachee.
(2) ~~Collet, J., *M. Inst. C. E.* ...~~	~~Superintending Engineer, 3rd grade, P. W. D.~~
Conder, J.	Resdt. Engr. and Exe. Engineer, 2nd grade, P. W. D., Bombay.
Constable, E. T.	Educational Inspector, 1st Circle, N.-W. P.
Cooke, C. R.	Inspector of Schools, 3rd grade, Umballa, Punjab.
Cooke, G. H.	Assistant Superintendent, Revenue Survey, 3rd grade.
Cooke, J. E.	Deputy Accountant General, Madras.
Cooke, S.	Professor, Civil Engineering College, Poona.
Cooke, T., *M. A.*	Principal of the Poona Civil Engineering College, Bombay.
Coombes, H. A.	Superintendent of Police, Seebsagar.
Cooper, C. P.	Senior Magistrate of Police, Bombay.
Cordner, R. A.	Executive Engineer, 4th grade, P. W. D.
Corke, W. G.	Protector of Emigrants, Bombay.
Cornish, W. H.	Superintendent of Police, 5th grade, Bengal.
(3) Cotton, W. G. L.	Executive Engineer, 4th grade, P. W. D.
Cowie, H. G., *B. A.* ...	Assistant Accountant General, N.-W. P.
Cox, J. H. A.	Deputy Director of Revenue Settlement, Madras.
~~Crane, H. P. ... ...~~	~~Assistant Engineer, 3rd grade, P. W. D.~~
(4) Crawford, D. B.	3rd Class Deputy Collector in Sindh.
~~Crowther, J. B. ... ...~~	~~Deputy Master Attendant, Madras.~~
Cumberlege, N. R.	Superintendent of Police, 2nd grade, Berars.

D.

(6) Daly, W. W.	Superintendent of Police, 4th grade, Bengal.
Daingerfield, H.	Executive Engineer, 4th grade, P. W. D.
Daniell, F. T. B.	Superintendent, 2nd grade, Persian Telegraph Department.
~~Daniell, H. ... ...~~	~~Assistant Engineer, 1st grade, P. W. D.~~
Darling, W. C.	Assistant Superintendent, Telegraph Department.
(6) Davidson, J. Y.	Assistant Engineer, 1st grade, P. W. D.
Davies, R.	Assistant Engineer, 1st grade, P. W. D., Bombay.
Davis, H. H.	Assistant Conservator of Forests.
Davis, H. M.	Medical Officer, Pubna.
Davis, J. C.	Assistant Commissioner, 1st grade, British Burma.
~~Davis, W. H. ... ...~~	~~Assistant Engineer, 2nd grade, P. W. D.~~
Davis, W. P.	Superintendent of Police, 1st grade, Bengal.
Dease, P. P.	Assistant Engineer, 2nd grade, P. W. D.
Demarsac, F. R., Brown ...	Assistant Superintendent, Telegraph Department.

Schedule B.

Names.	Designation of Office held when the Officers were recommended for admission to the Rules of the Civil Leave Code.
Deighton, K.	Principal of the Agra College, N.-W. P.
~~Dejoux, P. ... ...~~	~~Executive Engineer, 4th grade, P. W. D.~~
Dempster, J.	Assistant Engineer, 2nd grade, P. W. D.
~~DeRinzy, J. H. ... ...~~	~~Assistant Engineer, 1st grade, P. W. D.~~
~~Dewes, H. ... ...~~	~~Executive Engineer, 1st grade, P. W. D.~~
Dick, R.	Professor in the Delhi Government College, Punjab.
Dickson, W. P.	Medical Officer and Superintendent, Central Jail, Rupar, Punjab.
Dillon, J.	Chief Inspector of Post Offices, Oudh.
Disney, H. K.	Asst. Supdt., Revenue Survey and Assessment, Poona and Nasik.
Dobbie, G.	Assistant Superintendent, Revenue Survey, 2nd grade, P. W. D.
~~Dobbs, R. C. ... ...~~	~~Executive Engineer, 1st grade, P. W. D.~~
~~(Dobbs, H. S.) ... ...~~	~~Assistant Engineer, 1st grade, P. W. D.~~
Dodd, A. J.	Master Attendant of Moulmein.
Dodsworth, G. W.	Executive Engineer, 4th grade, P. W. D.
Dodsworth, R. S.	Assistant Conservator of Forests.
Doig, S.	Assistant Engineer, 1st grade, P. W. D., Bombay.
Donald, W.	Assistant to the Accountant General, Madras.
Dooley, M. S.	Assistant Engineer, 1st grade, P. W. D.
Douglas, E. R.	Chief Inspector of Post Offices, Central Provinces.
Douglas, G. C.	Deputy Conservator of Forests, Madras.
~~Doyle, J. P. ... ...~~	~~Executive Engineer, 2nd grade, P. W. D.~~
Drake, R.	Sub-Deputy Opium Agent, 4th grade.
Drysdale, A. T.	Assistant Conservator of Forests, 2nd grade.
Drysdale, T.	Registrar, Court, Judicial Commissioner, Central Provinces.
~~Dubus, A. ... ...~~	~~Executive Engineer, 3rd grade, P. W. D.~~
Duff, J. C.	Superintendent of Police, 4th grade, Central Provinces.
Duffin, C.	Assistant Superintendent, Telegraph Department.
Duke, C. J.	Assistant Commissioner, 2nd grade, British Burma.
Dumayne, T. J.	Assistant Engineer, 3rd grade, P. W. D.
~~Duncan, M. ... ...~~	~~Executive Engineer, 3rd grade, P. W. D.~~
~~Duncan, R. B. ... ...~~	~~Deputy Collector of Public Works Accounts.~~
~~Dunn, W. H. ... ...~~	~~Executive Engineer, 3rd grade, P. W. D.~~
~~Dupuis, G. H. ... ...~~	~~Executive Engineer, 4th grade, P. W. D.~~
(1) Dyson, J.	Judge, Small Cause Court, Oudh.

E.

Elliott, C. F.	Assistant Conservator of Forests.
Ellis, J. W. .. .	Medical Officer of Humeerpore.
Ellis, R. H. M.	Assistant Conservator of Forests.
Evans, C. T.	Assistant Engineer, 1st grade, P. W. D.

F.

(2) ~~Faulkner, G. H. ... ...~~	~~Executive Engineer, 2nd grade, P. W. D.~~
Faulkner, G. W.	Assistant Engineer, 2nd grade, P. W. D.
Fedden, F., *F. G. S.* ...	Assistant, 3rd grade, Geological Survey.
~~Fenwick, J. ... ...~~	~~Executive Engineer, 2nd grade, P. W. D.~~
Ferdinands, J. B.	Medical Officer in charge of the Civil Station, and Superintendent of the Jail, Bilaspur.
Ferguson, J.	Civil Surgeon, Gujrat.
Fforde, A. B.	Assistant Superintendent, Revenue Survey, Poona and Nasik.
Field, G.	Sub-Deputy Opium Agent, 2nd grade.
Filgate, T M.	Inspector General of Registration, Bombay.
Fink, R. A.	Assistant to the Comptroller General.
FitzGerald, G.	Deputy Accountant General, Bengal.
FitGerald, H. V. S. ...	Supernumerary Deputy Collector in Sind.
FitzJames, F.	Executive Engineer, 3rd grade, P. W. D.

Schedule B.

Names.	Designation of Office held when the Officers were recommended for admission to the Rules of the Civil Leave Code.
Fleischer, M.	Assistant Superintendent, Telegraph Department.
Fletcher, W. M.	Assistant Superintendent, Revenue Survey, Poona and Nasik.
Foote, R. B., *F. G. S.* ...	Assistant, 2nd grade, Geological Survey.
~~Forbes, C. J. F. S. ...~~ ...	~~Assistant Commissioner, 1st grade, British Burmah.~~
Fordham, J. W.	Deputy Controller of Public Works Accounts.
Forrest, E.	Assistant Conservator of Forests.
~~Forrest, R. E. ... ...~~	~~Executive Engineer, 1st grade, P. W. D.~~
(1) Foster, C. W. E.	Civil Surgeon, British Burmah (Unattached).
~~Fourcades, G. ... ...~~	~~Executive Engineer, 3rd grade, P. W. D.~~
(2) Fox, C. E.	Master and Registrar in Equity, High Court, Bombay.
Foxton, W., *B. A.*	1st Class Deputy Collector in Sind.
Fraser, L. V.	Assistant Superintendent, Telegraph Department.
~~Froude, R. H., *B. A.* ...~~	~~Assistant Engineer, 1st grade, P. W. D.~~
Furnivall, W. C.	Superintending Engineer, 2nd grade, P. W. D.

G.

~~Gallett, J. L. ... ...~~	~~Executive Engineer, 1st grade, P. W. D.~~
~~Galvey, W. J. ... ...~~	~~Executive Engineer, 1st grade, P. W. D.~~
Garbett, H.	Executive Engineer, 1st grade, P. W. D.
Garrett, J. P.	Superintendent, Government Press, and Compiler Gazette, Mysore.
Garstin, N. A.	Superintendent of Police, 4th grade, Oudh.
(3) Gastrell, H. E.	Assistant Superintendent, Revenue Survey, 3rd grade.
George, E. C.	Chief Inspector of Frontier Travelling Post Office, Allahabad.
Gibson, H. W.	Assistant Commissioner, 1st grade, Oudh.
Gibson, J. R.	Deputy Superintendent, Revenue Survey, Rutnagiri.
Giertzen, G. T.	Superintendent of Police, 1st Grade, Bombay.
Gilbert, E. L.	Executive Engineer, 3rd grade, P. W. D.
~~Gilby, H. P. ... ...~~	~~Assistant Engineer, 2nd grade, P. W. D., Madras.~~
Giles, A. H.	Superintendent of Police, 3rd grade, Bengal.
Giles, R., *B. A.*	Supernumerary Deputy Collector in Sind.
Glass, J. G. H.	Executive Engineer, 4th grade, P. W. D.
Goad, H. B.	Superintendent of Police, 4th grade, N.-W. P.
Godfrey, F. E.	Assistant Controller of Public Works Accounts, 3rd Grade.
(4) ~~Goodchap, W. A. ... ...~~	~~Executive Engineer, 4th grade, P. W. D., Madras.~~
Gordon, D. C.	Deputy Controller of Public Works Accounts.
Gough, G.	Assistant Superintendent, Telegraph Department.
Gouldsbury, J. M. E. ...	Superintendent of Police, 5th grade, Bengal.
~~Goulding, J. E. ... ...~~	~~Principal, Ajmir College.~~
~~Graham, H. C. ... ...~~	~~Executive Engineer, 2nd grade, P. W. D.~~
Gramatzki, E.	Assistant Engineer, 1st grade, P. W. D.
~~Grant, A. ... ...~~	~~Superintending Engineer, 1st grade, P. W. D.~~
Grant, A. R.	Assistant Conservator of Forests.
(5) Grant, J. G. Garrow, *M.D.* ...	Protector of Emigrants, Bengal.
Gray, C. J.	Assistant Examiner, Fund Accounts, Bengal.
Greenway, F.	Assistant to the Head Commissioner of Paper Currency.
~~Greenwood, G. ... ...~~	~~Assistant Engineer, 2nd grade, P. W. D.~~
Greig, G.	Deputy Conservator of Forests, 2nd grade.
Griffith, F. R.	Executive Engineer, 1st grade, P. W. D., Bombay.
Griffiths, J.	Artist, School of Arts, Bombay.
Griffiths, R. T. H.	Principal of the Benares College, N.-W. P.
(6) Grimes, J.	Assistant Engineer, 2nd grade, P. W. D., Madras.
(7) ~~Grither, H. ... ...~~	~~Executive Engineer, 3rd grade, P. W. D.~~

H.

Hacket, C. A.	Assistant, 3rd grade, Geological Survey.
Hallum, E. H.	Engineer, 4th grade, P. W. D., Bombay.

Schedule B.

Names.	Designation of Office held when the Officers were recommended for admission.
Hamilton, R. C. A. ...	District Superintendent of Police, 3rd grade, Oudh.
Hamilton, R. E.	Assistant to the Accountant General, Bombay.
Hamilton, R. H.	Superintendent of Police, 5th grade, Central Provinces.
~~Handley, H. J. ... ...~~	~~Assistant Engineer, 1st grade, P. W. D.~~
Hankin, M. P.	Superintendent of Police, 5th grade, Central Provinces.
~~Hamin, S. G. ... ...~~	~~Executive Engineer, 4th grade, P. W. D.~~
~~Harding, J. H. ... ...~~	~~Controller of Public Works Accounts, 2nd Class.~~
Harington, H. B., *M. A.* ...	Assistant Settlement Officer, 1st grade.
Harrington, W. S.	Executive Engineer, 1st grade, P. W. D., Madras.
Harris, F. D.	Executive Engineer, 4th grade, P. W. D., Madras.
Harrison, A. S.	Principal of Muir's College, Allahabad, N.-W. P.
Harrison, W.	Assistant Superintendent, Revenue Survey, Ratnagiri.
Hart, J. H. E.	Architectural Engineer and Surveyor, P. W. D., Bombay.
(1) ~~Hawkes, F. A. ... ...~~	~~Executive Engineer, 4th grade, P. W. D.~~
(2) ~~Heenan, R. H., *A. C. E.* ... ...~~	~~Assistant Engineer, 1st grade, P. W. D.~~
Hearn, E.	Assistant Supdt., Revenue Survey and Assessment, Ratnagiri.
Hennessey, J. B. N. ...	Deputy Superintendent, Great Trigonometrical Survey, 1st grade.
~~Hennessey, W. C. ... ...~~	~~Executive Engineer, 4th grade, P. W. D.~~
Hennessy, S. H.	Assistant Commissioner, 3rd grade, Central Provinces.
Henry, J. W.	Executive Engineer, 2nd grade, P. W. D.
Henslowe, C. W. E. ...	Executive Engineer, 4th grade, P. W. D.
Henslowe, F. B.	Executive Engineer, 4th grade, P. W. D.
Herdon, J. H.	Superintendent of Police, 3rd grade, Punjab.
Hervey, H. J. A.	Assistant Superintendent, Telegraph Department.
Hexton, W. S.	Assistant Conservator of Forests, 2nd grade, in Sind.
(3) ~~Heyman, J. S. ... ...~~	~~Executive Engineer, 1st grade, P. W. D.~~
Heymerdinger, C.	Assistant Superintendent, Telegraph Department.
Hicks, F. C.	Assistant Conservator of Forests.
Higgins, J. J.	Superintendent of Police, 3rd grade, Central Provinces.
Higginson, F. W.	Civil Surgeon, Oudh.
Hill, T. C.	Assistant Superintendent, Telegraph Department.
~~Hillier, W. S. ... ...~~	~~Assistant Conservator of Forests.~~
Hobson, E. A.	Assistant Superintendent of Police, Berars.
Hodson, R. G.	Inspector of Schools in the first Circle in Mysore.
~~Hollingbery, R. H. ... ...~~	~~Assistant Secretary to the Government of India, Financial Dept.~~
Holmwood, F.	Assistant to the Political Agent, Zanzibar.
Home, A L.	Deputy Conservator of Forests, 3rd grade.
~~Hope, C. W. ... ...~~	~~Executive Engineer, 3rd grade, P. W. D.~~
~~Hopkins, J. ... ...~~	~~Controller of Public Works Accounts, 2nd Class.~~
~~Hoodern, C. ... ...~~	~~Deputy Commissioner, 3rd grade, Berars.~~
Horsf, H.	Assistant Superintendent, 1st grade, Topographical Survey.
Hough, A.	Assistant Commissioner, 2nd grade, British Burmah.
Hudson, H.	Deputy Accountant General, Mysore.
Hughes, E. W. M.	Assistant Engineer, 2nd grade, P. W. D.
Hughes, T. W. H.	Assistant, 3rd grade, Geological Survey.
Hunt, E. L.	Assistant, Engineer, 1st grade, P. W. D.
~~Hunter, A. W. ... ...~~	~~Assistant Engineer, 2nd grade, P. W. D., Madras.~~
Hutchinson, C. W. ...	Post Master General, 2nd grade, N.-W. P.
Hutchinson, E.	Assistant Controller of Public Works Accounts, 3rd grade.
~~Hyde, E. ... ...~~	~~Executive Engineer, 4th grade, P. W. D.~~
~~Hyndman, P. K. ... ...~~	~~Executive Engineer, 2nd grade, P. W. D.~~
Hynes, L. G.	Assistant to the Mint Master, Bombay.

I.

Ingle, G.	Secretary to Supdt. of Marine and of the Dockyard, Bombay.
~~Inglis, J. W. ... ...~~	~~Executive Engineer, 2nd grade, P. W. D.~~

Schedule B.

Names.	Designation of Office held when the Officers were recommended for admission to the Rules of the Civil Leave Code.
~~Innes, C.~~ ...	~~Executive Engineer, 4th grade, P. W. D.~~
Ireland, W. deCourcy ...	Deputy Commissioner, 3rd grade, British Burmah.
Irvine, R. H. G. ...	Superintendent of Police, Bengal.
Irwin, H. ...	Executive Engineer, 4th grade, P. W. D.
J.	
Jackson, E. J. ...	Assistant Superintendent, Revenue Survey, 2nd grade.
Jacob, W. ...	Deputy Conservator of Forests, 2nd grade.
~~James, J.~~ ...	~~Executive Engineer, 3rd grade, P. W. D.~~
James, W. E. A. ...	Assistant Superintendent, Revenue Survey, 3rd grade, Mysore.
Jameson, T. D. ...	Superintendent of Police, 5th grade, British Burmah.
Jerdon, C. M. ...	Sub-Deputy Agent, 4th grade.
Johnson, E. T. S. ...	Deputy Superintendent, Revenue Survey, 3rd grade.
Johnson, H. ...	Executive Engineer, 3rd grade, P. W. D.
Johnson, W. H. ...	Assistant Engineer, 1st grade, P. W. D.
Johnstone, F. J. ...	Executive Engineer, 1st grade, P. W. D.
~~Johnstone, W.~~ ...	~~Assistant Engineer, 1st grade, P. W. D.~~
Jones, H. L., *B.A.* ...	Superintendent of Police, Bengal.
Jones, J. J. ...	Assistant Engineer, 1st grade, P. W. D.
Jones, T. ...	5th Judge, Court of Small Causes, Calcutta.
Josephs, S. J. ...	Assistant Superintendent, Telegraph Department.
K.	
Keelan, E. J. ...	Assistant Engineer, 1st grade, P. W. D.
Kellner, E. W. ...	Assistant to the Comptroller General.
Kidd, H. A. ...	Medical Officer in charge of the Civil Station, Mandla.
Kiernander, C. R. ...	Deputy Accountant General, Punjab.
~~Kimber, J.~~ ...	~~Executive Engineer, 2nd grade, P. W. D.~~
King, C. ...	Commander in the Bengal Marine.
King, M. ...	Assistant Engineer, 1st grade, P. W. D.
King, W., Jr., *A. B.* ...	Assistant, 2nd grade, Deputy Supdt., Geological Survey, Madras.
Kipling, J. L. ...	Principal, Mayo School of Art, Lahore.
Kirby, F. ...	Executive Engineer, 3rd grade, P. W. D.
Kirk, J. ...	Consul-General, Zanzibar.
(1) Knight, T. ...	Executive Engineer, 3rd grade, P. W. D.
~~Knowles, T. W.~~ ...	~~Executive Engineer, 2nd grade, P. W. D.~~
Knowlys, H. B. ...	Assistant Commissioner, 2nd class, Berars.
Knox, G. ...	Deputy Commissioner, 1st grade, Punjab.
Knyvett, R. ...	Superintendent of Police, 4th grade, Futtehghur, N.-W. P.
~~Krione, C.~~ ...	~~Assistant Engineer, 1st grade, P. W. D.~~
L.	
(2) Lackersteen, M. R. ...	Assistant Engineer, 1st grade, P. W. D.
Lambert, J. ...	Deputy Commissioner of Police, Calcutta and Suburbs.
Lambert, R. M. ...	3rd Class Deputy Collector in Sind.
~~Landon, P. H.~~ ...	~~Assistant Engineer, 2nd grade, P. W. D.~~
Lane, J. M. ...	Superintendent, Telegraph Department.
Laughlin, R. C. ...	Assistant Superintendent, Telegraph Department.
Lawford, A. C. ...	Executive Engineer, 2nd grade, P. W. D., Madras.
(3) Leeds, H. ...	Deputy Conservator of Forests, 1st grade.
~~Leggatt, G. B.~~ ...	~~Assistant Engineer, 1st grade, P. W. D., Madras.~~
Leggatt, W. B. ...	Executive Engineer, 3rd grade, P. W. D., Madras.
~~Leupolt, C. B.~~ ...	~~Executive Engineer, 4th grade, P. W. D.~~
Leupolt, H. J. ...	Assistant Engineer, 2nd grade, P. W. D.
Light, R. E. H. ...	Asst. Supdt., Revenue Survey and Assessment, S. M. Country.
Levinge, H. C. ...	Superintending Engineer, 1st grade, P. W. D.

Schedule B.

Names.	Designation of Office held when the Officers were recommended for admission.
Lincke, J. E. P.	Assistant Engineer, 2nd grade, P. W. D.
Lincoln, F.	Civil Judge, Lucknow.
Lindsay, W. T.	Professor in the Lahore College, Punjab.
Livesay, C. E.	Assistant Engineer, 1st grade, P. W. D.
~~Lloyd, L. A. D. ... ...~~	~~Assistant Engineer, 1st grade, P. W. D.~~
Lloyd, R. A.	Educational Inspector, 2nd Circle, N. W. P.
Locke, H. H.	Principal of the School of Arts, Calcutta, Bengal.
~~Longmore, W. H. .. ...~~	~~Assistant Engineer, 2nd grade, P. W. D.~~
Losack, Captain C. W. ...	Deputy Conservator of Forests.
Low, G.	Officiating Superintendent of Police, Oudh.
~~Lowry, R. J. .. ...~~	~~Assistant Engineer, 1st grade, P. W. D., Madras.~~
Ludlow, E.	Assistant Conservator of Forests.
Lungley, R. B.	Commander in the Bengal Marine.
Lynch, S. S.	Superintennent of the Jail at Alipore.

M.

MacDowell, J.	Assistant Engineer, 1st grade, P. W. D.
MacGeorge, H. J.	Assistant Commissioner, 1st grade, Central Provinces.
Macdonald, R. G.	Controller of Public Works Accounts, 2nd Class.
MacDonell, J. C.	Assistant Conservator of Forests.
Mackey, J.	Deputy Accountant General, Hyderabad.
Mackinnon, M. C.	Assistant Engineer, 2nd grade, P. W. D.
Macleod, D. G.	First Judge, Court of Small Causes, British Burmah.
Macleod, G. W.	Assistant to the Accountant General, Bengal.
(1) MacMillan, J.	Executive Engineer, 1st grade, P. W. D.
Macpherson, I.	Assistant Conservator of Forests.
Macrae, J. K.	Deputy Commissioner, 4th grade, British Burmah.
(2) Mallett, F. R., *F. G. S.* .	Assistant, 2nd grade, Geological Survey.
Mann, G. ...	Deputy Conservator of Forests.
(3) Marks, C. B. D.	Assistant Superintendent, Telegraph Department.
Marrice, H P.	Assistant Engineer, 2nd grade, P. W. D., Bombay.
Marriott, A. B. .	Superintendent of Police, 5th grade, Central Provinces.
Marten, H	Controller of Public Works Accounts, 1st class.
Martin, C. A. ...	Professor in the Krishnagur College, Bengal.
Martin, T., *M. Inst. C. E.* ...	Executive Engineer, 1st grade, P. W. D.
Masters, J. ..	Superintendent of Police, Bengal.
~~Mathews, C. ... ...~~	~~Chief Engineer, Dockyard, Bombay.~~
~~Maxwell, J. F., *M. A.* ... ...~~	~~Executive Engineer, 4th grade, P. W. D.~~
McAndrew, J. .	Superintendent of Police, 3rd grade, Punjab.
McCrindle, J. W., *M. A.* ...	Principal in the Patna College, Bengal.
McCuddon. E. J.	Assistant Engineer, 3rd grade, P. W. D., Bombay.
McEwen, R. S. T. ...	Judge, Court of Small Causes, Calcutta.
McGill, J.	Assistant Supdt., Great Trigonometrical Survey, 2nd grade.
~~McGowan, W. H. ... ...~~	~~Post Master, Calcutta.~~
McGrath, E. R.	Assistant Superintendent, Telegraph Department.
McGregor, J.	Chief Engineer, Government Dockyard, Kidderpore.
~~McKennie, R. C. ... ...~~	~~Executive Engineer, 4th grade, P. W. D.~~
McLeod, R.	Medical Officer, Gya.
~~McRae, J. H. ... ...~~	~~Executive Engineer, 2nd grade, P. W. D.~~
McReddie, G. D.	Civil Surgeon, Oudh.
Meiklejohn, G. F.	Assistant Superintendent, Revenue Survey, 3rd grade, Mysore.
Meiklejohn, R. M.	Civil Surgeon, Muscat.
Meredith, J.	Medical Officer, Nowgong.
Metcalfe, E. P.	Head Master, Provincial School, Rajahmundry.
Middleton, C. J.	Assistant Engineer, 2nd grade, P. W. D.
Midwinter, W C.	Assistant Commissioner, 4th grade, British Burmah.
Miller, J. A. E.	Secretary to Financial Commissioner, Punjab.
~~Milne, G. T. ... ...~~	~~Assistant Engineer, 1st grade, P. W. D.~~

Schedule B.

Names.	Designation of Office held when the Officers were recommended for admission to the Rules of the Civil Leave Code.
Milsom, B. P.	Assistant Engineer, 3rd grade, P. W. D.
Minniken, G. G.	Assistant Conservator of Forests.
Moberley, G. J.	Superintendent, Telegraph Department.
Molecey, G. T.	Executive Engineer, 3rd grade, P. W. D., Bombay.
Monk, H. L.	Executive Engineer, 4th grade, P. W. D.
Montserrat, W. M.	Assistant Engineer, 1st grade, P. W. D., Madras.
Moore, F.	Deputy Controller of Public Works Accounts.
(1) ~~Moran, P. J. ... ...~~	~~Assistant Engineer, 1st grade, P. W. D.~~
(2) Morland, H.	Agent for Transports and Asst. Resdt. Transport Officer, Bombay.
(3) Morrison, F.	Assistant Controller of Public Works Accounts, 1st grade.
Moss, T.	Controller of Public Works Accounts, 2nd class.

N.

Naylor, R. D. G.	Assistant Superintendent, Telegraph Department.
Nedham, W. A.	Assistant Commissioner, 3rd grade, Central Provinces.
Nelson, R.	Assistant Engineer, 2nd grade, P. W. D.
Nesfield, J. C.	Director of Public Instruction, Oudh.
~~Nanville, P. S. ... ...~~	~~Executive Engineer, 3rd grade, P. W. D.~~
Nevill, G.	Assistant Curator, Indian Museum.
Nicholetts, H. S.	Assistant Commissioner, 3rd grade, Berars.
~~Nielly, A. ... ...~~	~~Assistant Engineer, 2nd grade, P. W. D.~~
Nordmann, R. F.	Executive Engineer, 4th grade, P. W. D., Madras.
Norfor, R. E.	Executive Engineer, 3rd grade, P. W. D., Madras.
(4) ~~Norman, J. ... ...~~	~~Assistant Engineer, 1st grade, P. W. D.~~
~~Nuthall, R. D. ... ...~~	~~Superintendent of Khoddas, Dacca.~~

O.

~~O'Brien, P. ... ...~~	~~Executive Engineer, 1st grade, P. W. D.~~
O'Conor, J. E.	Assistant Secretary to the Govt. of India, Revenue Department.
O'Callaghan, I. E.	Deputy Conservator of Forests, 2nd grade.
O'Flaherty, J. J.	Assistant Engineer, 1st grade, P. W. D.
O'Shaughnessy, J.	Executive Engineer, 4th grade, P. W. D., Madras.
Odling, T. F.	Medical Officer, Persian Telegraph Department.
~~Oldham, R. A. ... ...~~	~~Executive Engineer, 4th grade, P. W. D.~~
Oliver, J. H.	Deputy Commissioner, 1st grade, Punjab.
Orr, J. W.	Prothonotary, High Court, Bombay.
Osborne, H.	Sub-Deputy Opium Agent, 4th grade.

P.

~~Pacsold, A. J. W. ... ...~~	~~Assistant Engineer, 2nd grade, P. W. D.~~
Palliser, H. G.	Assistant Engineer, 1st grade, P. W. D., Madras.
Palmer, C. G.	Assistant Engineer, 1st grade, P. W. D.
Palmer, W.	Controller of Telegraph Accounts.
Parker, G. G.	Superintendent of Police, 5th grade, N. W. P.
Parker, W. H.	Executive Engineer, 1st grade, P. W. D.
~~Parkinson, T. H. ... ...~~	~~Executive Engineer, 2nd grade, P. W. D.~~
Parry, R.	Professor in the Hooghly College, Bengal.
Parry, W. E.	Executive Engineer, 3rd grade, P. W. D.
~~Pascoe, B. ... ...~~	~~Assistant Engineer, 2nd grade, P. W. D.~~
(5) Patch, J.	Superintendent of Police, 5th grade, Bengal.
(6) Pattison, W. H. ...	Superintendent of Police, 4th grade, British Burmah.
(7) Peacock, E. B.	Assistant Commissioner, 3rd grade, Punjab.
Pearson, C.	Inspector of Schools, 2nd grade, Rawul Pindee, Punjab.
(8) Pemberton, R. B.	Executive Engineer, 3rd grade, P. W. D.
Peppe, T. F.	Sub-Deputy Opium Agent, 2nd grade.
Percy, M.	Post Master, Madras.
~~Perceau, E. S. B. ... ...~~	~~Assistant Engineer, 2nd grade, P. W. D.~~
Perreau, R. A. D.	Assistant Commissioner, 3rd grade, British Burmah.

Schedule B.

Names.	Designation of Office held when the Officers were recommended for admission to the Rules of the Civil Leave Code.
~~Pettit, G.~~	~~Assistant Engineer, 2nd grade, P. W. D.~~
~~Phillips, P.~~	~~Controller of Public Works Accounts, 2nd class.~~
~~Philpott, O.~~	~~Executive Engineer, 4th grade, P. W. D.~~
(1) Pitt, R. B.	Assistant Superintendent, Revenue Survey, Hyderabad.
Ponsonby, C. J.	Officiating Deputy Conservator of Forests.
~~Pope, J. P.~~	~~Executive Engineer, 3rd grade, P. W. D.~~
(2) Pratt, W. D.	Superintendent of Police, 4th grade, Bengal.
Presscott, W. B.	1st Class Assistant Settlement Officer, Guzerat.
Price, J. A.	Assistant Engineer, 2nd grade, P. W. D.
Price, W. S.	1st Class Settlement Officer, Southern Mahratta Country.
Pringle, E. H.	Assistant Engineer, 1st grade, P. W. D., Madras.
(3) Puckle, F. C.	Deputy Superintendent of Revenue Survey, Madras.

R.

Read, H.	Deputy Commissioner, 4th grade, Central Provinces.
(4) Reynolds, W. H.	Assistant Conservator of Forests.
(5) Rice, B. L.	Director of Public Instruction, Mysore.
Richards, V.	Civil Medical Officer of Balasore.
~~Richardson, G.~~	~~Assistant Superintendent, Telegraph Department.~~
Ricketts, L.	Judge, Small Cause Court, Mysore.
Rigby, V.	Executive Engineer, 3rd grade, P. W. D.
Rigby, W.	Assistant Conservator of Forests.
Roberts, L. R.	Executive Engineer, 2nd grade, P. W. D.
Roberts, P. B.	Assistant Engineer, 1st grade, P. W. D.
~~Roberts, T. R.~~	~~Assistant Engineer, 1st grade, P. W. D.~~
Robertson, W. R.	Superintendent, Government Farms, Madras.
~~Robinson, G. T.~~	~~Superintendent of Marine and Dockyard, Bombay.~~
~~Robinson, J.~~	~~Controller of Public Works Accounts, 2nd class.~~
Rogers, A. C.	Assistant Engineer, 3rd grade, P. W. D.
Rollo, J. T.	Assistant Engineer, 2nd grade, P. W. D.
Ronaldson, H.	Assistant to the Accountant General, Bengal.
Rose, F. E.	Assistant Engineer, 1st grade, P. W. D.
Rowe, F. J., *M. A.*	Professor in the Hooghly College, Bengal.
Rundall, C.	Deputy Director of Revenue Settlement, Madras.
Rundall, J. W.	Executive Engineer, 2nd grade, P. W. D., Madras.
~~Rundle, C. S.~~	~~Executive Engineer, 1st grade, P. W. D.~~
Russell, A. M.	Asstt. Commr., 1st grade, and Settlt. Officer, Central Provinces.
Russell, C. M.	Medical Officer, Sarun.
Ryan, P.	Assistant Secretary to Government, Bombay.
Ryves, T. J.	Superintendent of Police, 3rd grade, N.-W. P.

S.

Salmon, A. McD.	Assistant Engineer, 2nd grade, P. W. D.
(6) Sampson, A. B.	Under Secy., Government of India, P. W. D.
Schiffmayer, K.	Assistant Superintendent, Government Farms, Madras.
Sconce, G. C.	Judge, Court of Small Causes, Calcutta.
~~Scott, H.~~	~~Executive Engineer, 2nd grade, P. W. D.~~
~~Scott, J. R.~~	~~Assistant Engineer, 2nd grade, P. W. D.~~
Scott, J. W.	1st Class Assistant Settlement Officer, Poona and Nasik.
~~Scott, T. W.~~	~~Assistant Engineer, 2nd grade, P. W. D.~~
(7) Searle, W. L.	Marine Store-keeper, Bombay.
Shakspeare, W.	Assistant Conservator of Forests.
~~Shanly, W. W.~~	~~Assistant Engineer, 1st grade, P. W. D.~~
Shannon, R. J.	Assistant Engineer, 1st grade, P. W. D., Bombay.
Shaw, A. R.	Collector, 4th grade, Inland Customs.
~~Shaw, G. J.~~	~~Superintending Engineer, P. W. D., Bombay.~~
~~Shaw, R. D.~~	~~British Joint Commissioner, Ladakh.~~
(8) Shuttleworth, A. T.	Conservator of Forests, N. D., Bombay.

Schedule B.

Names.	Designation of Office held when the Officers were recommended for admis ion to the Rules of the Civil Leave Code.
Sibold, E. A.	Executive Engineer, 4th grade, P. W. D.
Sime, J.	Principal of the Delhi College, Punjab.
Simpson, J. T.	Assistant Engineer, 2nd grade, P. W. D.
Slater, J. S.	Assistant Engineer, 2nd grade, P. W. D.
Slym, M. J.	Deputy Conservator of Forests, 2nd grade.
Smallman, H.	Assistant Engineer, 2nd grade, P. W. D.
Smart, R. B.	Deputy Superintendent, Revenue Survey, 2nd grade.
~~Smart, W.~~	~~Assistant Engineer, 1st grade, P. W. D.~~
Smith, H.	Officiating Superintendent of Police, Oudh.
Smith, S.	Police Surgeon, and Surgeon to the Coroner, Bombay.
Smith, S.	Superintendent of Police, 4th grade, N.-W. P.
Smith, T.	Superintendent of Police, 3rd grade, Punjab.
~~Smith, W. A.~~	~~Executive Engineer, 4th grade, P. W. D.~~
~~Smithe, J. D.~~	~~Executive Engineer, 1st grade, P. W. D.~~
Span, J. M.	Executive Engineer, 3rd grade, P. W. D.
Spurling, E.	Officiating Deputy Conservator of Forests.
Spencer, N.	Second Judge, Small Cause Court, Bombay.
Stack, G. A.	Professor in the Bareilly College, N.-W. P.
Stack, O. S.	Superintendent of Police, 2nd grade, Bengal.
Stainforth, F.	Superintendent of Police, 5th grade, Oudh.
Stanbrough, H.	Health Officer, Madras.
Steele, C. E. S.	Supernumerary Deputy Collector in Sind.
~~Steell, J.~~	~~Executive Engineer, 2nd grade, P. W. D.~~
Stent, W. K.	Assistant Engineer, 2nd grade, P. W. D.
Sterndale, R. A.	Assistant to the Comptroller General.
~~Stewart, S. A.~~	~~Executive Engineer, 2nd grade, P. W. D.~~
St. John, R. F. St. A.	Deputy Commissioner, 4th grade, British Burmah.
Stoddard, A.	Executive Engineer, 3rd grade, P. W. D.
Story, R. H.	Assistant Commissioner, 3rd grade, N.-W. P.
Strettell, G. W.	Deputy Conservator of Forests, 2nd grade.
Stuart, C. A.	Post Master, Bombay.
Summers, H. H.	1st Class Assistant Settlement Officer, Guzerat.

T.

~~Tait, G. H.~~	~~Executive Engineer, 3rd grade, P. W. D.~~
Talbot, H. B.	Assistant Superintendent, Revenue Survey, 2nd grade.
Taylor, A.	Deputy Collector of Salt Revenue, Bombay.
Taylor, J.	Assistant to the Accountant General, Bengal.
Tawney, C. H., *M. A.* ...	Professor in the Presidency College, Bengal.
Terry, G. W.	Teacher, School of Art, Bombay.
~~Thatcher, W.~~	~~Executive Engineer, 3rd grade, P. W. D.~~
Theobald, W., *F. G. S.* ...	Assistant, 1st grade, Geological Survey.
Thomas, G. E.	Assistant Engineer, 1st grade, P. W. D.
Thomas, W. P.	Assistant Conservator of Forests.
Thomas, W. C.	Superintendent of Police, 3rd grade, N.-W. P.
Thomson, A.	Senior Inspector of Schools, Oudh,
Thomson, D. W.	Inspector of Schools, 4th grade, Multan, Punjab.
Thomson, Dr. Murray ...	Professor, Thomason College at Roorkee.
Thompson, E.	Principal, Presidency College, Madras.
Thompson, R. H. E. ...	Deputy Conservator of Forests, 3rd grade.
~~Thoburn, J.~~	~~Assistant Engineer, 2nd grade, P. W. D.~~
Trotter, E. W.	Assistant Secretary to Government, Punjab.
~~Trotter, H. H.~~	~~Controller of Public Works Accounts, 2nd class.~~
Tween, A.	Assistant, 3rd grade, Curator and Registrar, Geological Survey.
~~Tweedie, C. H. A.~~	~~Assistant Engineer, 2nd grade, P. W. D.~~
Tyler, J. W.	Superintendent of District and Central Jails, Meerut.
~~Tyndall, H.~~	~~Executive Engineer, 3rd grade, P. W. D.~~
Tyndall, S. W.	2nd Class Deputy Collector in Sind.

Schedule B.

Names.	Designation of Office held when the Officers were recommended for admission.
Tytler, A. G.	Sub-Deputy Opium Agent, 5th grade.
~~Tytler, F. ... ...~~	~~Assistant Engineer, 3rd grade, P. W. D.~~
V.	
Vanstavern, T.	Executive Engineer, 2nd grade, P. W. D.
Vertannes, J. C.	Executive Engineer, 1st grade, P. W. D.
~~Vigors, T. M., B. A. ...~~	~~Executive Engineer, 2nd grade, P. W. D.~~
~~Vivian, G. W. ... ...~~	~~Executive Engineer, 1st grade, P. W. D.~~
~~Vye, C. W. ... ...~~	~~Assistant Engineer, 1st grade, P. W. D.~~
W.	
Waddington, R.	Superintendent of Police, 3rd grade, N.-W. P.
Wakefield, G. E.	Assistant Commissioner, 1st grade, Punjab.
Walch, G. T.	Executive Engineer, 3rd grade, P. W. D., Madras.
Walker, F. B.	Executive Engineer, 3rd grade, P. W. D.
~~Walker, J. P. H. ...~~	~~Superintending Engineer, 2nd grade, P. W. D.~~
(1) Wallis, B. G.	Assistant Engineer, 2nd grade, P. W. D.
Wallis, E. F.	Assistant Superintendent, Telegraph Department.
Ward, W.	Superintendent of Police, 3rd grade, Punjab.
Warden, F., Captain ...	Extra Assistant Master Attendant, Calcutta.
(2) Warden, H. W.	Assistant Engineer, 2nd grade, P. W. D.
Warder, R.	Assistant Engineer, 3rd grade, P. W. D.
Watson, H. E.	2nd Class Deputy Collector in Sind.
~~Watson, J. L. ... ...~~	~~Executive Engineer, 2nd grade, P. W. D.~~
Wehlisch, R.	Math. Ins. Maker under the Surveyor General.
Wells, G. F.	Collector of Customs and Port Officer at Bassein.
Wells, W.	Assistant to the Accountant General, N.-W. P.
Whitcombe, J. C.	Assistant Superintendent, Revenue Survey, Poona and Nasik.
White, H. F.	Executive Engineer, 2nd grade, P. W. D.
White, P. J.	Assistant Commissioner, 1st grade, N.-W. P.
Whitten, A. J.	Assistant Controller of Military Accounts, Bengal.
Whitten, R. J.	Collector, 3rd grade, Inland Customs.
Wickes, T. H.	Executive Engineer, 2nd grade, P. W. D.
(3) Williams, J. W.	Superintendent of Police, 3rd grade, N.-W. P.
Williamson, J. F.	Assistant Engineer, 1st grade, P. W. D.
Willmot, R.	Medical charge of Rajpootana State Railway.
Wills, C. J.	Medical Officer, Persian Telegraph Department.
Willson, J., *A. B.*	Assistant, 3rd grade, Geological Survey.
Wilson, A. G.	Assistant Commissioner, 1st grade, Bengal.
Wilson, J. H.	Executive Engineer, 2nd grade, P. W. D.
Wingate, R. T.	1st Class Assistant Settlement Officer, Guzerat.
Wiseman, W.	Assistant Engineer, 1st grade, P. W. D.
Wood, B.	Deputy Commissioner, 1st grade, Bengal.
Wood, E. S.	Conservator of Forests, 4th class.
Wood, O.	Assistant Commissioner, 1st grade, Punjab.
Wood, W. C.	Assistant Commissioner, 1st grade, Oudh.
Woodhouse, R. W. ...	Executive Engineer, 1st grade, P. W. D.
Wood-Mason, J.	Assistant Curator, Indian Museum.
(4) Wright, F. W.	Superintendent of Police, 2nd grade, Berars.
Wright, W. C.	Executive Engineer, 4th grade, P. W. D.
Wright, W. H.	Principal in the Bareilly College, N.-W. P.
(5) Wynne, A. B., *F. G. S.* ...	Assistant, 2nd grade, Geological Survey.
Y.	
Yeats, C. L.	Assistant Secretary to Government, P. W. D., Bombay.
Young, A. B.	Assistant Supdt., Revenue Survey, Southern Mahratta Country.
Young, J. W.	Assistant Superintendent, Revenue Survey, Rutnagiri.
Young, R. J.	Superintendent of Police, 5th grade, N.-W. P.

SCHEDULE B—2.

The following Officers have been recommended to the Secretary of State for admission to the Rules in the Civil Leave Code :—

Names.	Designation of Office held when the Officers were recommended for admission to the Rules of the Civil Leave Code.
Bamber, H. W. J.	Superintendent of Police, Bengal.
Belchambers, R.	Registrar, High Court, Calcutta.
Bethams, G. K.	Assistant Superintendent, Revenue Survey, Mysore.
Blair, J.	Superintendent of Police, Bengal.
Bowers, H.	Inspector of Schools, Madras.
Buhler, J. G.	Inspector, Educational Department, Bombay.
Caldwell, E. C.	Inspector of Schools, Madras.
Cameron, H. L.	Superintendent of Police, Bombay.
Campbell, A. C.	Officiating Deputy Commissioner, Goalpara.
Carnduff, D.	Inspector of Schools, Central Provinces.
Chapman, M.	Assistant Superintendent of Marine Surveys.
Cole, J. Revd.	Principal of the Lawrence Military Asylum at Sanawar.
Cotgrave, T. M.	Assistant Collector of Salt Revenue, Bombay.
Cross, M.	Judge of the Court of Small Causes at Combaconum.
Dalzel, A.	Acting Superintendent of Police and Bhil Agent, Rewa Kanta.
Davidson, B. H.	Superintendent of Police, British Burmah.
Duthie, J. F.	Superintendent, Saharanpur Gordens, N.-W. P.
Fall, Captain J. V.	Deputy Conservator and Harbour Master, Port of Calcutta.
Forty, H.	Inspector of Schools, Madras.
Fowler, J. T.	Inspector of Schools, Madras.
Garthwaite, L.	Inspector of Schools, Madras.
Gompertz, H.	Deputy Superintendent, Madras Survey.
Gompertz, R.	Executive Engineer, P. W. D.
Gordon, A. A.	Professor, Presidency College, Madras.
Grant, T. W.	Assistant Engineer, 2nd grade, P. W. D.
Grimes, H. R.	Superintendent Central Jail, Coimbatore.
Guerin, J. A.	Deputy Collector and Magistrate, Bombay
Haviland, R. H.	Assistant Secretary to Government, Punjab.
Hayne, D. A.	Executive Engineer, P. W. D., Madras.
Hayne, W. C.	Deputy Conservator of Forests, Madras.
Hexton, C.	Assistant Superintendent, Revenue Survey, Bombay.
Jackson, N.	Medical Officer at Baxar.
Kirkham, T. B.	Professor, Elphinstone College, Bombay.
Lacey, D.	Superintendent of Police, Bengal.
Lowder, A. W.	Executive Engineer, Kumaon Provincial Division, N.-W. P.
Laycock, F.	River Surveyor, Bengal.
Macnaghten, C.	Principal of the Rajkumar College, Kattywar.
Man, E. H.	Assistant Superintendent, Port Blair.
Marden, T.	Inspector of Schools, Madras.
Mowatt, E. W. L.	Assistant Superintendent, Revenue Survey, Bombay.
Moore, G. E.	Executive Engineer, 4th grade, P. W. D.
Morgan, R. W.	Deputy Conservator of Forests, Coimbatore.
Nolan, C. H. T.	Assistant Engineer, 2nd grade, P. W. D., Madras.
Partridge, T. O.	Inspector of Immigrants, Upper Assam.
Pinhey, H.	Superintendent of Police, Bengal.
Peet, A. W.	Deputy Conservator of Forests, Wynaad.
Platel, F. T.	Superintendent of Police, Bengal.
Potter, W. A.	Principal, Provincial College, Combaconum.
Pringle, Captain O.	Superintendent of Police, Bombay.
Reily, H. M.	Superintendent of Police, Bengal.

Schedule B 2.

Pages 192 and 193.

Strike out this Schedule. (126)

Schedule B—2.

Names.	Designation of Office held when the Officers were recommended for admission to the Rules of the Civil Leave Code.
Rennie, W. C.	Executive Engineer, 3rd grade, P. W. D.
Robinson, J.	Assistant Engineer, 1st grade, P. W. D.
Ross, G. J. S.	Deputy Conservator of Forests, Madras.
Scantlebell, H.	Superintendent of Police, Bombay.
Scott, W. H.	Assistant Engineer, 1st grade, P. W. D., Bombay.
Shuttleworth, E. J. ...	Superintendent of Police, Bengal.
Sims, R. Proctor	Executive Engineer, P. W. D., Bombay.
Souter, Sir F. H., Kt., C. S. I. ...	Commissioner of Police, Bombay.
Synnott, W.	Personal Assistant to the Commissioner of Inland Customs.
Thorpe, J. S.	Assistant Secretary, Government of India, P. W. D.
Thuey, A.	Assistant Engineer, 2nd grade, P. W. D.
Thynd, W. K.	Harbour Master, Aden.
Tomlinson, J. J.	Assistant Superintendent, Madras Survey.
Turnbull, W. S.	Assistant Superintendent, Revenue Survey, Bombay.
Wallinger, W. H. A. ...	Deputy Conservator of Forests, Bombay.
Williams, R.	Deputy Conservator of Forests, Madras.
Winter, H. F.	Deputy Conservator of Forests, Madras.
Wooldridge, H. L.	Deputy Conservator of Forests, South Arcot.
Wright, H. L.	Acting Deputy Commissioner of Customs and Opium, Bombay.

APPENDIX A.

FORMS FOR LAST PAY CERTIFICATE.

~~In filling up these Forms~~—

(1.) Except in the case of Chaplains, allowances should be stated in rupees a month, and not in pounds a year; and, in entering "the rate of Absentee Allowance," it should be stated, in the first place, without reference to the maximum or minimum applicable, and, then, if a maximum or minimum applies, or if the allowance is such that a future change in the official rate of exchange may render a maximum or minimum applicable, the words should be added "subject to a maximum (or minimum) of, &c."

(2.) The deductions to which the allowances of a Covenanted Civil Servant are subject while he is on leave on account of his annuity should invariably be stated in his Last Pay Certificate. (*See Section 3 of Supplement A to the Civil Pension Code.*)

(3.) In forms ~~A, B,~~ C, and D, the Presidency to which an Officer belongs should be stated in the title, and the Presidency or Province in which he is employed should be stated under the first Heading.

(4.) ~~In line 10, in Forms A to C, and in line 11, in Form D,~~ the Section of Supplement E to the Civil Leave Code, or of the Military Furlough Regulations under which the advance is made, should be mentioned. Similarly, the words *under Supplement E to the Civil Leave Code,* or *under the Military Furlough Regulations,* should be inserted between the words "that" and "you will grant" on the reverse of Forms C and D.

(5.) In Forms A, B, C, and D, it must be shown whether an Officer is entitled to the full amount of furlough permitted by the Rules.

(6.) In the heading "Sources from which, &c.," the term "Indian Revenues" should be used in all Certificates intended to be sent to England, as the term "Imperial Revenues" has there a different signification. If the allowance is not chargeable finally to the Government of India, the Local Administration or Fund from which it is recoverable must be expressly stated.

(7.) A copy of Section 50, Rule 7, and Section 51, Rule 17, should be given to an Officer going on Leave, and a copy of Section ~~47, Rule 3,~~ and Section 50, Rule 1, to an Officer going on Leave to Europe. A copy of Section 50, Rule 8, should also be given to an Officer proceeding on Furlough or Special Leave.

(8.) The service and residence of a Chaplain proceeding on Leave to Europe should be entered in a foot-note on his Last-Pay Certificate.

APPENDIX A.

Page 194.

For "In filling up these Forms," *substitute* "In filling up Forms C and D."

In Instruction (3), strike out "A, B."

In Instruction (4), for "In line 10, in Forms A to C, and in line 11, in Form D," *substitute* "In line 11 in Forms C and D," *and strike out the second sentence.*

In Instruction (5), substitute "In Form C" *for* "In Forms A, B, C and D."

Insert the following as Instruction (8A):—

"(8A) The date on which any officer will, during the currency of leave, complete the term of service, or attain the age after which, by any Rule, he is required to retire from the service, should be shown." (19 A. G.)

No. 85.

APPENDIX A.

Page 195.

Add the following as Instruction (11A):—

(11A.) The Secretary of State does not recover subscriptions for the Civil Funds. The Last-pay Certificate should therefore contain no reference to such subscriptions. (85)

FORMS A. TO C.

Pages 195 *to* 197.

Insert the following as heading 13 *in each of these Forms:—*

13. Whether the Local Government objects to any extension or commutation of Leave by the Secretary of State or not ... ... 13.
(66)

APPENDIX A.

Page 195.

For entry No. 13 in Form C, substitute the following:—

Period for, and terms on, which leave may be extended or commuted otherwise than to Extraordinary leave. (*See Sec. 2, cl. 1*).) (23 A. G., 31-1-81.)

(9.) The Certificates of Officers proceeding on leave to Europe shall be prepared—

1st, for Officers in the employ of the Military Department—in Black Ink;

2nd, for Officers in the employ of the Public Works Department—in Blue Ink;

3rd, for Officers in the employ of the Civil Department—in Red Ink;—

and it should be distinctly stated in the Certificates whether the Absentee Allowance is chargeable to the Civil, the Military, or the Public Works Department.

[NOTE.—The object of the use of ink of different colours is to enable the Home Authorities to ascertain at once the Department to which the Absentee Allowance of an Officer is to be charged.]

(10.) Whenever a corrected Last Pay Certificate, whether original or duplicate, is furnished, it should invariably be marked "Amended Certificate."

(11.) No entries in regard to arrears of Indian pay and allowances due to an Officer proceeding on leave or on retirement to Europe should be made in his Last Pay Certificate. Such allowances are not paid at the Home Treasury of the Government of India.

(12). In Forms A, B, C, and D, the date on which any Officer will, during the currency of Leave, complete the term of service, or attain the age after which, by any Rule, he is required to retire from the Service, should be shown.

FORM A.

LAST PAY CERTIFICATE OF (*title and name*) OF THE (*Corps or Service*) PROCEEDING ON (*nature and period of leave*) TO (*place*).

1.	Government under which employed	1
2.	Substantive appointment	2
3.	Acting appointment, if any	3
4.	Date of beginning and ending of any Leave already taken, the nature of such Leave, and the Rule under which it was taken ...	4
5.	Section and Clause of the Civil Leave Code, or of any of its Supplements, under which the Leave is granted	5

[NOTE.—*Distinguish Furlough granted, under Section* 21 *on Medical Certificate, from Furlough granted without Medical Certificate.*]

6.	Period of Leave	6
7.	Date of commencement of Leave	7
8.	Monthly rate of Absentee Allowance and Place of Payment ...	8
9.	Date from which first payment is to be made	9
10	Amount, if any, paid in advance	10
11.	Source from which Absentee Allowance is payable	11
12.	Period for, and terms on, which Leave may be extended or commuted	12

Appendix A, Form B.

[NOTE.—When the Leave cannot be extended or commuted, the fact should be stated *In the case of an Officer not being a Military Officer subject to Military Rules, note whether he is entitled to the full amount of Furlough permitted by the Rules*.]

(SIGNATURE),
Accountant General

(Place) the (date).

[NOTE.—In the case of Officers on other than Privilege Leave embarking for Europe at Calcutta, the entry in the 7th and 9th spaces should be—"The date of the Pilot quitting the vessel as certified below;" and the Certificate below should be in the following form —

"This is to certify that (*title and name*) is a passenger on board the (*name of vessel*) proceeding to (*destination*), and left by me at sea this day "]

(SIGNATURE),
Pilot

(Place) the (date).

[NOTE.—The date on which recovery has been made in India on account of payments made from the Home Treasury of the Government of India for the family allotments of an Uncovenanted Officer should be entered in the Certificate of such an Officer proceeding on leave to England.]

FORM B.

(Obverse.)

LAST PAY CERTIFICATE OF (*title and name*) OF THE (*Corps or Service*) PROCEEDING ON (*nature of leave*) TO EUROPE.

1.	Government under which employed	1
2.	Substantive appointment	2
3.	Acting appointment, if any	3
4.	Date of beginning and ending of any Leave already taken, the nature of such Leave, and the Rule under which it was taken .	4
5.	Section and Clause of the Civil Leave Code, or of any its Supplements, under which the Leave is granted	5

[NOTE.—*Distinguish Furlough granted under Section 21 on Medical Certificate from Furlough so granted without Medical Certificate.*]

6.	Period of Leave	6
7.	Date of commencement of Leave	7
8.	Monthly rate of Absentee Allowance and Place of Payment ...	8
9	Date from which first payment is to be made	9
10.	Amount if any, paid in advance	10
11.	Source from which Absentee Allowance is payable	11
12.	Period for, and terms on, which Leave may be extended or commuted	12

[NOTE.—When the Leave cannot be extended or commuted, the fact should be stated *In the case of an Officer not being a Military Officer subject to Military Rules, note whether he is entitled to the full amount of Furlough permitted by the Rules.*]

(SIGNATURE),
Accountant General

(Place) the (date).

Certified that the above-named Officer appeared before me on this date, that he stated his intention of embarking for Europe on the (*name of vessel*) which leaves this port on the (*date*), that he drew an (or no) advance of salary, and that the 7th, 9th, and 10th spaces in the foregoing Certificate have been filled up by me accordingly.

(SIGNATURE),
Accountant General or Collector.

(Place) the (date)

[NOTE.—The date to which recovery has been made in India on account of payments made from the Home Treasury of the Government of India for the family allotments of an Uncovenanted Officer should be entered in the Certificate of such an Officer proceeding on leave to England.]

Appendix A, Form C.

(Reverse.)

FROM

THE ACCOUNTANT GENERAL,

(*Place*).

TO

THE ACCOUNTANT GENERAL (OR COLLECTOR) OF

(*Name of port of embarkation*).

Dated (*place*) *the* (*date*).

SIR,

I HAVE the honor to request that when (*title and name of Absentee*) produces this letter, you will pay him at the rate of —— a month from the (*date of departure from Accountant General's Station*) to the day not later than the (*date of expiry of Subsidiary or Preparatory Leave*) preceding his departure from (*name of port of embarkation*), and that you will grant him an advance of ———, if required, and fill up the Certificates on the reverse accordingly. The date to be shown in the 7th and 9th spaces of the Last Pay Certificate is that of (*title and name*)'s departure from (*name of port of embarkation*).

I have, &c.,

(*Place*) *the* (*date*).

(SIGNATURE),

Accountant General,

(*Place*).

FORM C.

(Obverse.)

LAST-PAY CERTIFICATE, &c. (*as in Form B*).

(Reverse.)

FROM

THE ACCOUNTANT GENERAL,

(*Name of Absentee's Presidency*),

TO

THE ACCOUNTANT GENERAL (OR COLLECTOR) OF

(*Name of port of embarkation*),

Date (*place*) *the* (*date*).

SIR,

I HAVE the honor to request that when (*title and name of Absentee*) produces this letter, you will pay him at the rate of ———— a month, less the deductions shown in the margin, from the date up to which he last drew salary from the ——— Treasury to the date on which he may make over charge of the Office of ———— as shown below, and at the rate of — a month for the period not exceeding (*maximum of Subsidiary or Preparatory Leave*) from the date on which he may make over charge of that Office to the day preceding his departure from (*name of port of embarkation*), and that you will grant him an advance of ———, if required, and fill up accordingly the Certificates on the reverse. The date to be shown in the 7th and 9th spaces of the Last Pay Certificate is that of (*title and name of Absentee's*) departure from (*name of port of embarkation*).

I have, &c.,

(SIGNATURE),

Accountant General.

Appendix A, Form D.

(*Title and name of Absentee*) received his salary from the————Treasury at the rate of————, less the deductions shown in the margin up to the————, and to no later date. He made over charge of the office of————on the fore (*or* after) noon of the————

(*Place*) *the* (*date*) *Collector of*——

[NOTE.—The date to which recovery has been made in India on account of payments made from the Home Treasury of the Government of India for the family allotments of an Uncovenanted Officer should be entered in the Certificate of such an Officer proceeding on leave to England.]

FORM D.

(Obverse.)

LAST PAY CERTIFICATE OF (*title and name*) OF THE (*Corps or Service*) PROCEEDING ON (*nature of leave*) TO EUROPE.

1. Government under which employed 1
2. Substantive Appointment 2
3. Acting Appointment, if any 3
4. Date of beginning and ending of any Leave already taken, the nature of such Leave, and the Rule under which it was taken 4
5. Section and Clause of the Civil Leave Code, or of any of its Supplements, under which the Leave is granted ... 5

[NOTE.—*Distinguish Furlough granted under Section* 21 *on Medical Certificate, from Furlough so granted without Medical Certificate.*]

6. Period of Leave 6
7. Date of commencement of Leave 7
8. Monthly rate of Absentee Allowance 8
9. Place of Payment 9
10. Date from which first payment is to be made 10
11. Amount, if any, paid in advance 11
12. Source from which Absentee Allowance is payable ... 12
13. Period for, and terms on, which Leave may be extended or commuted 13

[NOTE.—When the Leave cannot be extended or commuted, the fact should be stated. *In the case of an Officer not being a Military Officer subject to Military Rules, note whether he is entitled to the full amount of the Furlough permitted by the Rules.*]

NOTE.—(*Title and name*)'s pay and acting allowance for the three years preceding (or for the period from———— to) this date, exclusive of periods of absence on other than privilege leave, were—

Rs.	a month from the (*date*) to the (*date*)	...	0	0 0
Rs.	a month from the (*date*) to the (*date*)	...	0	0 0
	Total	...	0	0 0

The rate of Absentee Allowance admissible to him is half his monthly average pay and acting allowance for the three years preceding (or for the period from the———— to) the date on which he may make over charge of his office, exclusive of periods of absence on other than Privilege Leave, provided that the allowance does not exceed————* or fall short of————

* These figures to be entered in accordance with the rates of the service to which the Officer belongs.

(SIGNATURE),

(*Place*) *the* (*date*). *Accountant General.*

[NOTE.—The date to which recovery has been made in India on account of payments made from the Home Treasury of the Government of India for the family allotments of an Uncovenanted Officer should be entered in the Certificate of such an Officer proceeding on leave to England.]

FORM D.

Page 198.

Insert the following as heading 14 *in this Form :—*

14. Whether the Local Government objects to any extension or commutation of Leave by the Secretary of State or not ... ... 14.
(60)

Certified that above-named Officer appeared before me on this date; that he stated his intention of embarking for Europe on the (*name of vessel*) which leaves this port on the (*date*); that he drew an (or no) advance of salary; and that the 7th, 10th, and 11th spaces in the foregoing Certificate have been filled up by me accordingly.

(SIGNATURE),

(*Place*) *the* (*date*). *Accountant General or Collector.*

(Reverse.)

FROM

THE ACCOUNTANT GENERAL,

(*Name of Absentee's Province or Presidency*),

To

THE ACCOUNTANT GENERAL (OR COLLECTOR) OF

(*Name of port of embarkation*),

Date (*place*) *the* (*date*).

SIR,

I HAVE the honor to request that when (*title and name of Absentee*) produces this letter, you will pay him at the rate of ———— a month, less the deduction shown in the margin, from the date up to which he last drew salary from the ———— Treasury to the date on which he may make over charge of the Office of ———— as shown below, and at the rate of half his ———— monthly average pay and acting allowance as shown below for the period not exceeding (*maximum of Subsidiary or Preparatory Leave*) from the date on which he may make over charge of that Office to the day preceding his departure from (*name of port of embarkation*); that you will grant him an advance of ————, if required, and fill up accordingly the Certificates on the reverse. The date to be shown in the 7th and 10th spaces of the Last Pay Certificate is that of (*title and name of Absentee*)'s departure from (*name of port of embarkation*).

I have the, &c.,

(SIGNATURE).

(*Title and name of Absentee*) received his salary from the ——— Treasury, at the rate of ———, less the deduction shown in the margin up to the ———— and to no later date. He made over charge of the office of ———— on the fore (*or* after) noon of the ————. His average monthly pay and acting allowance for the three years preceding (or for the period from the ———— to) the date on which he made over charge of his office is Rs ———, and the 8th space in the Certificate on the face of this Form has been filled up accordingly.

Collector or

(*Place*) *the* (*date*). *Accountant General.*

FORMS E, F, G, H, K, L.

These Forms are not reprinted; they will be found in the *Gazette of India*, as follows:—

Form	E	is the same as	Form	C	Printed with Resolution No. 409, dated 7th May 1869, in *Gazette of India*, 15th May 1869, pages 959 and 960.
,,	F	,,	,,	D	
,,	G	,,	,,	F	
,,	H	,,	,,	G	
,,	K	,,	,,	B	Printed with Resolution No. 3904, dated 11th October 1869, in *Gazette of India*, 23rd October 1869, page 406.
,,	L	,,	,,	C	

FORM M.

(Obverse.)

No.

Last Pay Certificate of A. B. of the
proceeding to to join the appointment of
to officiate as
on duty

He has drawn pay as
at the rate of Rs. a month, and Acting Allowance as
at the rate of Rs. a month, less the deductions shown
below up to the He made over charge of
the office of on the noon of the
of

No recoveries (*or* the recoveries noted on the reverse) are to be made from the pay of this Officer.

Deductions.

Rs. A. P.

Acct. or Depy. Acct. Genl.

(Reverse.)

Details of recoveries.

Nature of recovery_____

Amount Rs._____

How to be recovered (in one sum or in what instalments)_____

Appendix B.—Payment of Leave Allowances of Officers of the Public Works Department.

APPENDIX B.

Rules on the subject of the mode of Payment of Leave Allowances to members of the Public Works Department during absence on Leave in India.

I.—The allowances of an Officer or Subordinate of the Public Works Department who is absent on Leave in India, and who is entitled to draw allowances during such absence, should be included monthly, as they become due, in the salary bill of the Division or Office to which he is attached, and submitted for audit to the Examiner. The allowances, if admissible, should be audited by the latter Officer provisionally, subject to receiving an assurance that the Officer is alive.

II.—If the Absentee is attached to a Division, the Executive Engineer of this Division, on receipt of the audited bill, should request the Executive Engineer at the Station at or nearest which the Absentee resides during his Leave, to pay the allowances to the Absentee on his appearing in person to receive payment, or on his furnishing a Life Certificate by a Covenanted Civil Servant, a Magistrate, a Notary, a Banker, a Military Officer, a Chaplain, an Officer of the Engineer Establishment of the Public Works Department, or any other Officer of the Department holding an analogous position. If the amount exceeds Rs. 500, and has to be paid in another Province or Branch of the Department, the requisition for payment should be sanctioned by the Superintending Engineer of the Circle, in accordance with the orders contained in Public Works Department Circular No. 63, dated 21st December 1872.

III.—The Executive Engineer who complies with the requisition should send the Executive Engineer of the Division to which the Absentee belongs an advice of transfer of the payment, accompanied by the necessary Life Certificate or statement of the Absentee having appeared in person for the payment.

IV.—If the Absentee is attached to an Office, the Head of the Office should request the Executive Engineer by whom the bills of the Office are paid, to arrange for the payment of the Absentee's Leave Allowances, and the procedure indicated in the preceding Rules will then be gone through.—*Circular of the Public Works Department, Government of India, No. 58, dated 16th*

October 1873, and Circular of the Accountant General, Public Works Department, No. 81, dated 23rd December 1876.

[NOTE.—If a Life Certificate cannot be furnished, a bond executed by a recognised Bank or Agency firm may be accepted.]—*Circular of the Public Works Department, Government of India, No. 32, dated 2nd June 1874.*

APPENDIX C.

1.

MILITARY FURLOUGH RULES OF 1868.

GENERAL ORDER, MILITARY DEPARTMENT, NO. 171 OF 1874, DATED THE 25TH FEBRUARY.

The Furlough Rules of 1868, as revised by various subsequent decisions, are republished for general information; and, in future, this General Order shall ordinarily be referred to in any matter depending on those Rules. The Rules previously in force will be designated, as heretofore, the Furlough Rules of 1796 and 1854.

The following G. G. O.'s are cancelled prospectively from the 1st January 1875:—

G. G. O. No. 630 of 1869 (1st clause).
G. G. O. No. 627 of 1870.
G. G. O. No. 613 of 1871.

NOTE.—* The advantages granted by the Furlough Rules of 1854 to Officers who obtain Furlough on Medical Certificate are not applicable to any Officers of the British Service whose Regiments, Battalions, Brigades, or Batteries arrived in India after the date of the Passage Warrant of 1865, and neither those Rules nor the Furlough Rules of 1868 are, *as respects Furlough on Private Affairs*, applicable to British Officers serving with their Regiments or employed with a five years' tenure in staff situations (see paragraph 4).

But Officers of the late Indian Army who hold permanent appointments under the Government of India, and who have elected to abide by the Furlough Rules of 1854, in preference to those of 1868, of course retain their election.

2. These Rules are applicable to all Officers who, on the 1st July 1868, belonged to the several Indian Staff Corps, or to the Indian Army, and who have elected, or may elect, to adopt them: Officers of the British Army who entered the Staff Corps after that date are of course subject to them.

Rules apply to officers of Staff Corps and Indian Army.

In regard to the periods of Leave of Absence during which appointments may be held, and in regard to the increased allowances, they are also applicable to Officers of the Royal Artillery and Royal Engineers, late of the Indian Army, holding permanent staff appointments

Also to officers of R. A. and R. E., late of Indian Army, when holding permanent non-regimental appointments.

* Added by G. G. O. No. 585, dated 5th June 1874, paragraph 1.

not of a regimental nature, and to such Officers of the Engineers of the Imperial Establishment as may be permanently employed on the staff in India.

But should an Officer of the British Service, holding such permanent staff appointment, be allowed to proceed on leave under circumstances which, by these Rules, would involve loss of appointment, he cannot take leave under them, but simply as a British Officer holding no appointment.

3. These Rules are not applicable to Officers on the Invalid or Invalid Pension Establishment, even if, previous to their transfer, they should have elected them, being intended solely for Officers on the Effective List.

Do not apply to Invalid Officers.

4. They are not applicable to Regimental Officers generally of the British Service, whether formerly belonging to the Indian Army and now in the Royal Artillery, Royal Engineers, and new Line Regiments, or on the old Line Establishment: nor are they applicable to Officers of the British Army holding staff appointments the tenure of which is limited to five years, except in the sense in which the Rules of 1854 were made applicable, *viz.*, as regulating the amount of Absentee Allowance to be granted to such Officers holding staff appointments when they are absent on Furlough on Medical Certificate.

Nor to Regimental Officers of the British Service, even though formerly of Indian Army.

Only partially to officers of the British Service holding 5-year appointments.

Officers of the British Medical Staff are not entitled to this advantage.

Do not apply to officers of the British Medical Staff.

5. They are applicable to Officers of the Royal Engineers on the Imperial Establishment, who are employed in the Public Works Department, or who are receiving a staff salary as on the fixed establishment of the Sappers and Miners; these will count service towards Furlough from the date of their arrival in India.

Apply to R. E. Officers of the Imperial list holding permanent non-regimental staff appointments.

* These Officers therefore, and other Royal Engineer Officers of the Imperial list on permanent staff employ under the Government, will be entitled to a Furlough of two years after eight years' service in India, or at the expiration of one year from the date of their return (for a second tour of service in India) on the completion of the prescribed home service after the first period of seven years' service in India.

Such Officers† will be allowed an advance of passage money, or free passage in a Troop-ship if proceeding in the trooping season; the

* Original rule modified by G. G. O. No. 585, dated 5th June 1874, paragraph 2.
† Added by G. G. O. No. 585, dated 5th June 1874, paragraph 3.

advance to be refunded on receipt of the balance of Furlough Pay. The English rate of pay of their rank only will be passed to them during their leave; but at its conclusion, on their presenting an order for them to return to India, the difference between that rate and Furlough pay, less the Passage money they have received, will be paid to them in England, conditionally on its refund if the order to return to India is not carried out.

Pay allowed them during furlough.

* Those Royal Engineer Officers who arrived in India before the 1st July 1872, are, however, not subject to the provisions of the preceding clause as long as they do not exchange Indian for Home service, but draw Furlough Pay during Furlough as others.

Royal Engineer Officers on the Imperial Establishment, who are merely doing duty with, or attached to, the Sappers and Miners, but not on the fixed establishment and drawing staff salary, will, in regard to these Rules, be on the footing of Regimental Officers of the British Service: see preceding paragraph. If, however, they afterwards accept staff employ, they also will count their service for Furlough from date of arrival in India.

Rules apply to R. E. Officers of the Imperial list on the *fixed staff establishments* of Sappers and Miners.

* An Officer of the British Service holding permanent staff employ under the Government, who may proceed on Furlough under circumstances which involve the forfeiture of his appointment, must obtain the Furlough as a British Regimental Officer, and it will reckon as a portion of the aggregate eight years of Furlough on pay to which an Officer is restricted during his service by Rule XVI. But on again becoming permanently employed, he resumes the right of obtaining Furlough under these Rules.

A British Officer vacating appointment becomes, on re-employment, again eligible to these rules.

6. Officers of British Regiments who may join the Staff Corps, can count as service towards Furlough all their military service in India, provided that half of it (in no case less than four years) shall have been passed in the Staff Corps. But any leave to England they may have taken during service so counted will be reckoned as Furlough already taken. Officers of the British Service who formerly belonged to the Indian Armies are exempted from the above proviso.

Previous service of officers of the British Service who join Staff Corps how reckoned towards furlough.

7. These Rules apply also to all Warrant Officers holding Veteran or Honorary Commissions who may elect them, the period of service qualifying for Furlough being calculated from the date

Rules apply to Warrant Officers with Honorary Commissions.

* Original rule modified by G. G. O. No. 585, dated 5th June 1874, paragraph 2.

Appendix C. 1.

(Exratum.)

Page 208.

In the second paragraph of the foot-note substitute "2" *for* "3", *and after* "does" *insert* "not." (99).

Their pay.

Warrant Officers without Commissions can take furlough on medical certificate only under these rules.

of the attainment of a Commission. They will receive during Furlough half their total receipts, calculated as laid down in Rule V, but without any reference to a minimum or maximum rate. Warrant Officers not holding Commissions can obtain Furlough under these Rules only on Medical Certificate.

Such Furlough may be for two years with retention of appointment and half of the aggregate allowances; but any extension of such leave (which will not be granted for more than one year in excess of the two years), or any leave taken within less than three years from the date of last return to duty, will be on "English Furlough Pay." [See Note to paragraph 9.]

Warrant Officers who were so before 19th February 1869 to elect on first applying for leave.

8. Every Warrant Officer who attained Warrant Rank before the 19th February 1869, and who has not made his election, will be required, on the first occasion of his applying for leave out of India, to state whether he desires to take the leave under these Rules, or under those previously in force applicable to Warrant Officers, *viz.*, G. G. O. Nos. 518 and 531 of 1854, G. G. O. No. 1559 of 1857, and subsequent orders. That election will be considered final.

Those who became Warrant Officers after 19th February 1869 are subject to these Rules, and cannot elect any of the previous Rules.

Leave on Medical Certificate on Indian pay and allowances to places eastward of the Cape, as allowed to Commissioned Officers under the Furlough Rules of 1796, is not in any case admissible to a Warrant Officer.

Rules apply to Medical as to other Warrant Officers.

These Rules respecting Warrant Officers apply to Honorary Assistant Surgeons and Warrant Officers in the Medical Department.

Meaning of "Furlough Pay" and "English Furlough Pay."

9. The term "Furlough Pay" having now a changed and twofold signification, in all future orders and references "Furlough Pay" will be understood as the half Indian salary within the prescribed limits specified in paragraph V of these Rules, converted at the rate of exchange fixed by the Secretary of State for the official year,* whilst "English Furlough Pay" will represent the

* Under the authority of the Right Hon'ble the Secretary of State for India, it is hereby notified that the Furlough Pay of all Officers who elected the Furlough Rules of 1868 before the 1st July 1871 will for the future be issued at the rate of exchange of two shillings the rupee.

This order does apply to Officers who were admitted to the Staff Corps on and after the 1st July 1868.—*G. G. O. by the Military Department, No. 991, dated 22nd September 1876.*

Appendix C1.—Military Furlough Rules of 1868.

rates heretofore allowed to the several grades as English Pay under the Rules of 1796 and 1854.

"English Furlough Pay" of Warrant Officers.

NOTE.—Where in these Rules English Furlough Pay is mentioned as that to which an Officer is to be restricted, the rates laid down in paragraph 11 of G. G. O. No. 69, dated 22nd January 1868, and (for Medical Warrant Officers) paragraph 22 of G. G. O. No. 550 of 1868, are to be understood as intended in the cases of Warrant Officers.

RULES.

Assimilation of allowances on furlough on private affairs and medical certificate.

I.—The distinction, with respect to allowances, which has been hitherto drawn between Furlough on Private Affairs and Sick Leave is abolished, both kinds of leave being included under the general term *Furlough*, provision, however, being made for the obtainment of Furlough under Medical Certificate without all the restrictions applicable to Furlough when taken without Medical Certificate.

II.—Leave taken under the Rules now prescribed will not involve forfeiture of appointment, except in the cases herein specially provided for.

Certain officers retain appointments during *all* leave duly granted.

Officers of the Staff Corps and local Indian Service, and Officers on the General List, can retain their appointments during *all* leave of absence granted by competent authority.* But their pay during such absence will be the same as they would obtain under these Rules had this exemption from forfeiture of appointment not been granted.

Absence from India for more than five years bars return to duty as formerly.

III.—The Rules now prescribed do not affect the provisions of Act XXXIII of George III, Chapter 52, Section 70;† but an Absentee cannot retain his appointment and draw absentee allowances, except under the Rules now prescribed.

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* The following Despatch from the Secretary of State was published under Military Department's General Order No. 1174, dated 24th November 1875:—

No. 249, Military, dated 14th October 1875.

Major-General * * of the Royal (Bengal) Engineers, now on Furlough for two years, has raised the question whether, in the event of his obtaining an extension of such Furlough, he will be entitled to retain his appointment in the Public Works Department; and I have to inform you that, with reference to this application, I have decided that the Rule under which Officers of the Staff Corps and Local Service retain their appointments during all authorised leave shall be made applicable to all Military and Medical Officers taking leave under the Rules of 1868.

† The Section referred to is quoted below:—

Section 70.—"And be it further enacted that no person who shall have held any civil or military station whatever in *India*, in the service of the said United Company, being under the rank or degree of a Member of Council or Commander-in-Chief of the Forces, and who having departed from *India* by leave of the Governor General in Council, shall not return to *India* within the space of five years next

APPENDIX C. 1.

Chapter I, Rule V.

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Insert the following as a foot-note to "office":—

* For the purpose of this Rule, the temporary promotion from one grade to another of an Officer of the Royal Engineers employed in the Public Works Department is an acting appointment, and the grade to which the Officer is permanently attached is his "substantive office." (19)

Nor do they affect the regulations by which General Officers Commanding Divisions and Brigades can only obtain limited periods of leave without forfeiting their commands.

IV.—Leave of Absence will in future be of three kinds, *viz.*,—

I.—Furlough in or out of India.
II.—General leave on Private Affairs, or Sick Certificate in India, or Short Leave to Sea.
III.—Privilege Leave.

[Doubts having been expressed on the point, the Right Hon'ble the Governor General in Council is pleased to notify, under instructions from Her Majesty's Government, and in continuation of G. G. O. No. 1160, dated 11th November 1873, that neither the Indian Furlough Rules of 1868 nor those of 1854, are, *as respects Leave on Private Affairs*, applicable to British Officers serving with their Regiments or employed with a five years' tenure in staff situations. Any leave on this account which may be granted to them by the authority under whom they may be serving, must be taken under the Rules of the British Service, and therefore, whilst borne on the Indian Establishment, they will receive the British pay of their rank and that only.

2. This ruling does not apply to Officers of Royal Engineers permanently employed in Departmental service, or to other British Officers who may be permanently employed under the Government of India; these are eligible for all the advantages of the Indian Furlough Rules so long as they retain their appointments.—[*G. G. O. of the Military Department, No. 497, dated 13th May 1874.*]

CHAPTER I.

FURLOUGH.

Furlough pay how reckoned.

V.—An Officer drawing Staff Pay, in addition to Pay of Rank, proceeding on Furlough, will be allowed pay at the rate of 50 per cent. of the salary of his substantive office.

* But an Officer in Civil Employ and drawing consolidated salary, will be allowed 50 per cent. of the average salary drawn by him during the three years prior to his proceeding on Furlough, or

after such departure, shall be entitled to any rank or restoration of office, or be capable of again serving in *India*, either in the *European* or Native Corps of Troops, or in the civil line of the Company's Service; unless, in the case of any Civil Servant of the Company, it shall be proved to the satisfaction of the Court of Directors that such absence was occasioned by sickness or infirmity, or unless such person be permitted to return with his rank to *India* by a vote or resolution passed by way of ballot by three parts in four of the proprietors assembled in General Court, specially convened for that purpose, whereof eight days' previous notice of the time and purpose of such meeting shall be given in *The London Gazette*; or unless, in the case of any Military Officer, it shall be proved to the satisfaction of the said Court of Directors and the Board of Commissioners for the affairs of *India*, that such absence was occasioned by sickness or infirmity, or some inevitable accident."

* The allowance of a Commissioned Medical Officer in Civil Employ will not be less than half his Unemployed Pay, or, if he was appointed to the Medical Service before the 7th November 1864, half the Grade Pay of his Rank.

during his actual service in India, should that be less than three years: and the time spent and the allowances drawn during any Leave "other than Privilege Leave" will be omitted in the calculation of Average Salary.

No Absentee shall in either case draw more than £1,000, or less than £250 per annum.

Meaning of term "Salary."

The term "Salary" will signify the total amount drawn by an Officer, whether as consolidated pay or staff allowances in addition to pay, but will not include any extra or special allowances. But in the case of a Military Officer in Civil Employ, his acting allowances shall be taken into account as a part of his salary in calculating his Furlough Pay.

Pay of officers transferred to other appointments during furlough.

§ 2. An Officer absent on Furlough, who may be transferred to another office during his absence, shall be entitled, for the entire period of his Furlough, to Furlough pay at the rate sanctioned to him when leaving India, whatever the salary of the office to which he may be transferred may be. This Furlough Pay will be continued to an Officer in Military Employ after his return to India, and until he joins his appointment, provided it is not less than the military pay, or pay and allowances, of his rank.

Pay when the appointment lapses or is vacated during furlough.

But an Officer whose term of office shall lapse, who shall vacate his appointment, or whose appointment shall be abolished during his Furlough, will revert at once to the Furlough Pay which he would draw in virtue of his rank, as laid down below, in § 4. Any case of sudden abolition of appointment may, however, be specially considered in the department of the Government under which the Officer may have been employed. An Officer will also be entitled to the benefit of his promotion to a higher Staff Corps or Regimental Rank whilst on Furlough, subject to the maximum limit.

Pay of officers promoted during furlough.

Regimental medical charges retained during furlough.

§ 3. Officers holding Regimental Medical Charges will be allowed to retain such charges during the authorised periods of Furlough as if they were Medical Staff Appointments. And the difference between the Unemployed* Grade pay of the Officer holding the substantive charge and the consolidated salary of the charge will be considered the staff salary divisible between the Absentee and the Officer officiating for him.

The staff salary how divided.

§ 4. Officers not in staff employ will receive half the Indian pay of their rank, provided that an Officer entitled to Furlough

* G. G. O. No. 1060 of 23rd December 1864, paragraph 29.
G. G. O. No. 370 of 4th April 1867, paragraph 9.

Appendix C1.—Military Furlough Rules of 1868.

Minimum furlough pay.

shall in no case receive less than the above minimum of £250 per annum.

[NOTE.—Officers who may be entitled to Income allowance from the Military Fund during absence in Europe, will draw their half salary or minimum Absentee Allowance under the foregoing clause, subject to a deduction equivalent to the amount of such Income allowance.]

VI.—All grants of Furlough on Private Affairs are subject to the exigencies of the public service,—of which exigency the Government is to be exclusively the judge,—and to any regulations that may be found necessary for limiting the number of absentees.

All furlough on private affairs subject to the exigencies of the service.

[NOTE.—It is therefore within the competency of Local Governments and of the Commander-in-Chief to decline to forward the application of any Officer whose absence would, in their opinion, be detrimental to the interest of the public service, until such time as arrangements can be made for removing the difficulty; and it is the duty of every Head of a Department to decline to forward any application for Furlough whenever the services of the Officer cannot be spared without risking the efficiency of the Department, any doubtful case being referred for the orders of Government.]

Applications of officers who cannot be spared need not be forwarded.

VII.—The maximum amount of Furlough on Private Affairs to be taken at any one time, carrying pay and retention of appointment, will be two years: any extension of such Furlough will be without pay, unless it is on Medical Certificate: see Rule XIII. (But see Notes (3) and (4), Rule IX.) And no extension on Private Affairs beyond two years will be granted, though without pay, except upon satisfactory evidence of very urgent necessity.

Furlough on private affairs limited to 2 years at one time.

Extensions of such furlough.

VIII.—A period of at least three years' service after return from last Furlough, except Furlough for a period not exceeding six months under Rule XI (and excepting also, in the case of an Officer in Civil Employ, *Ordinary Furlough not exceeding three months**) must be completed before Furlough can again be taken, unless obtained under Medical Certificate. (See Rules XIII and XIV, and Note 3 of Rule IX.)

Three years' service to intervene between two furloughs.

But an Officer who may be *ordered* to return to duty before the completion of his Furlough for the purpose of proceeding on Field Service, may be allowed to take the balance of such Furlough at any time.

Exception in cases of officers ordered out on Field Service.

[NOTE.—An Officer in Civil Employ cannot reckon in this interval of three years any period of absence from actual duty, excepting those spent on Privilege Leave.]

* Such furlough will, however, be excluded from the three years' *service* required between two furloughs.—*(G. G. O. No. 24, dated 12th January 1877.)*

Appendix CI.—Military Furlough Rules of 1868.

IX.—An Officer will be eligible for two years' Furlough on the completion of eight years' actual service in India (see paragraph 6 of this order); for a third year after a further period of six years' actual service, and for a fourth and fifth year after similar intervals of six years, and so on up to the maximum prescribed in Rule XVI. The grant of Furlough to an Officer eligible for it will be subject only to the conditions specified in Rules VI and VII. But see notes to this Rule.

Periods of service qualifying for furlough.

§ 2. * Leave granted under these Rules, without Furlough Pay, will not reckon as Furlough already taken in calculating the balance at an Officer's credit, or as part of the total of eight years allowed as shown in Rule XVI; but all Furlough with Furlough Pay, whether on Private Affairs or on Medical Certificate, taken under these Rules, will so reckon.

Furlough *without pay* not reckoned as "furlough taken."

§ 3. * Furlough and Leave previously taken under the Rules of 1796 or 1854 will count, as respects Officers who have elected these Rules, as follows:—

Furlough on Private Affairs, with pay, taken under the Rules of 1796 or 1854, counts in all respects as Furlough.

How far previous furlough on medical certificate bars furlough on private affairs.

Leave on Sick Certificate, under the Rules of 1796, does not count in any respect as Furlough.

Leave on Sick Certificate, with pay, under the Rules of 1854, counts as part of the maximum of eight years allowed under these Rules; but until the maximum thus made up be reached, this leave will not count as Furlough already taken in determining the amount of Furlough to which an Officer is entitled.

Leave without pay under the Rules either of 1796 or 1854, does not count in any respect as Furlough.

§ 4. If an Officer appointed to any *duty* in England draws his Indian allowances with or without any portion of his staff salary, he can count the period of such employment as service towards Furlough; but if he is appointed to an office in England to which a fixed consolidated salary is attached, he cannot reckon the time of such employment as service towards Furlough.

Service *on duty* in England how reckoned.

NOTE (1).† But an Officer of less than eight years' service in India may obtain

* Original Rules modified by G. G. O. No. 197, dated 1st March 1877.

† Under the authority of the Right Honourable the Secretary of State for India, it is hereby notified that furlough on Medical Certificate with furlough pay obtained by officers, under Rule IX, note (1), of the Regulations of 1868, between the publication of G. G. O.s No. 171 of the 25th February 1874, and No. 197 of the 1st March 1877, will not be reckoned as "furlough already taken" in computing the amount of furlough at the credit of such officers.

2. It will, however, form part of the aggregate of eight years allowed to Officers.—*G. G. O., Military Department, No. 935, dated 4th February 1872.*

Appendix C1.—Military Furlough Rules for 1868.

Furlough on medical certificate when on furlough pay.

Furlough, not exceeding two years, on Medical Certificate, with Furlough Pay and retention of appointment, provided he has been three years in the Staff Corps, or—in the case of a Royal Engineer Officer holding a permanent staff appointment, or an Officer not in the Staff Corps—has served for three years in India.

Furlough on medical certificate when on English furlough pay.

NOTE (2).—If the Officer has not been three years in the Staff Corps, or served three years in India, as the case may be, he will receive "English Furlough Pay" only, and must vacate his appointment, unless entitled to retain it under Rule II.*

This Rule and the Proviso in Note I, however, are not applicable to Officers of the Indian Army who entered the new Line Regiments or Royal Artillery, and subsequently the Staff Corps.

General Officers exempted from certain rules.

NOTE (3).—Unemployed General Officers of the Staff Corps of Local Service can be granted Furlough without serving the intervals of three and six years respectively prescribed in Rules VIII and IX; and they can remain in Europe after they have exhausted the full period of Furlough allowed during an Officer's service by Rule XVI (eight years on the whole) on the English Furlough Pay of their Rank.

NOTE (4).—And a Major-General of the Staff Corps—if he has so much Furlough at his credit, and proceeds to England within a year of his being promoted to that rank, or of his ceasing to be employed—can continue, after the expiration of the two years' Furlough, to receive half his Indian pay until he completes the period of three years during which he would be entitled to draw his Staff Corps pay if he were in India.

Furlough may be taken by instalments.

X.—An Officer eligible for Furlough need not take the whole amount to which his service entitles him, but may apply for any portion thereof as an instalment; and in that case the balance will remain at his credit in any future computation of the amount of Furlough for which he may be eligible.

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* *Extract from a letter from the Government of India, in the Military Department, to the Adjutant-General in India, No. 21, dated 3rd October 1876.*

With reference to your letter No. 2795A., "*Leave*," dated 24th July 1876, and previous correspondence, regarding the question of the retention by Lieutenant * * R. E., Imperial Establishment, of his appointment in the Public Works Department, I am desired to state, for the information of His Excellency the Commander-in-Chief, that, in the opinion of the Government of India, the retention of the appointment by an officer situated as Lieutenant * * is, is provided for by the Furlough Regulations as they stand.

2. By Note 2 of Rule IX of the Furlough Regulations of 1868, published in G. G. O No. 171 of 1874, an officer who has not served three years in India, and proceeding on furlough on medical certificate, will receive "English Furlough Pay" only, and will vacate his appointment unless entitled to retain it under Rule II.

3. Rule II lays down that officers of the Staff Corps and local Indian service can retain their appointments during all leave of absence granted by competent authority. Subsequently, the Secretary of State for India, in his despatch, published under G. G. O. No. 1174 of 1875, decided that the rule under which officers of the Staff Corps and local service retain their appointment during all authorised leave, shall be made applicable to all Military and Medical Officers taking leave under the Rules of 1868.

4. The provisions of Note (1) of Rule IX, which you state will, under the above ruling, require modification, are not really affected by it, as they refer to leave on "Furlough Pay" with retention of appointment. Note 2 relates to leave on "English Furlough Pay" with retention on vacation of appointment. Lieutenant * * retains his appointment, but as he has not performed three years' service, he does so on "English Furlough Pay" only.

Appendix C1.—Military Furlough Rules of 1868.

Illustrations.

1. An Officer who has served nine years in India is entitled to two years' Furlough; he takes only one year, and after his return remains in India for five years. He is then eligible for two years' Furlough as follows :—

Furlough at credit how determined.

Total service in India	14 years.
Furlough due on that service	3 years.
Furlough already taken*	1 year.
Balance for which he is eligible	2 years.

* See † Rule IX, § 2.

2. An Officer who has served 20 years in India without taking Furlough is entitled to four years' Furlough. He can only take, however, two years at one time carrying pay, the balance remaining at his credit in any future computation of Furlough to which he may be entitled. He can take that balance after completing three years' service from the date of his return from the first instalment.

NOTE.—An Officer is said to have Furlough at his credit,—even though he may not be able to obtain it owing to the number of Absentees, or other cause,—when the calculation of his service, as in Illustration 1 above, shows a "balance for which he is eligible."

XI.—Furlough on Urgent Private Affairs for six months on pay equivalent to the British Regimental pay of his rank may be granted when the Officer has less than six months' Furlough at his credit, or when, from other causes, *e. g.*, the number of the Absentees, or his not having served three years since his last return to duty, he is not able to take it. The said period may form part of the periods of either eight or six years referred to in Rule IX, and also—except in the case of an Officer in Civil Employ, see Rule VIII, note—of the three years which are required to intervene between two periods of Furlough by Rule VIII.‡

Furlough on urgent private affairs when granted.

This Leave cannot be given in extension of Furlough of any description. It cannot be extended beyond six months, unless on Medical Certificate and on the same pay, in which case, the Officer will be deemed to have vacated his appointment, unless entitled to retain it under Rule II; the whole period will be reckoned in the maximum amount of Furlough (8 years) allowed by Rule XVI, and no portion of it can form any part of the periods referred to in Rules VIII and IX.

Extended beyond 6 months only on medical certificate when its advantages are lost.

NOTE.—Ill health is not considered as warranting Furlough under this Rule to any Officer who, under the provisions of these Rules, can obtain Furlough on Medical Certificate without forfeiting his appointment.

XII.—Subject to State considerations, there will be no restriction as to the places to which an Officer may resort during Furlough. But, if he desires to spend in England the rest of a "Furlough in India," or *vice versâ*, he must obtain permission to do so from the Government of his

Special permission needed for change of residence from England to India, and *vice versâ*, during furlough.

† Added by G. G. O. No. 305, dated 26th March 1874.

‡ Original Rule modified by G. G. O. No. 922, dated 31st August 1876.

Presidency, or from the Secretary of State for India, as the case may be; and on landing in either country, he must report his arrival accordingly to the Military Department of his own Presidency, or to the India Office, forwarding a copy of the permission granted him to change his destination. He must also communicate his address. An Officer who, on his return to India, reports his debarkation, without forwarding *at once* a copy of the permission granted him to change his destination, or submitting an application for such permission, will be considered to have returned to his duty.

Reports, &c., required.

XIII.—Furlough on Medical Certificate is obtainable as indicated in Notes (1) and (2) of Rule IX, and in Rule XIV. Absence on such Furlough for a longer period than two years at one time will involve forfeiture of appointment. [But see Exceptions in Rule II.] Furlough may, however, be extended on Medical Certificate up to a third year on "English Furlough Pay;" and an Officer on Furlough on Private Affairs, who may be obliged to obtain an extension on medical certificate, will be thenceforward entitled to the same advantages, and subject to the same disadvantages as to retention of appointment, pay, &c., as if he had originally obtained Furlough on Medical Certificate.

Consequences of extension of furlough on medical certificate over 2 years.

In the event of an Officer not being able to return to his duty after an absence of three years, it will rest with the Secretary of State for India in Council to order him to appear before a Medical Board, with a view to placing him on the Retired List, if entitled to pension, or on the Half-pay list.

If he exceeds 3 years' absence on medical certificate, the officer may have to retire or go on half-pay.

Should the circumstances of the case warrant a further extension of Furlough, it can only be granted without pay.

Extension on medical certificate over 3 years to be without pay.

NOTE.—All Officers, however employed, and whatever the amount of leave granted them may be, who leave India on Sick Certificate, are required to produce a certificate of fitness for duty before they can be allowed to return.

Officers on medical certificate must be pronounced fit for duty before returning to India.

XIV.—An Officer whose health may necessitate his taking Furlough within three years from the date of last return from any Furlough, except that taken for a period not exceeding six months under Rule XI (and excepting also, in the case of an Officer on Civil Employ, *Ordinary Furlough not exceeding three months*), may obtain, under the usual Medical Certificate, such amount as may be duly certified to be necessary for the restoration of his health; but he will receive only "English Furlough Pay," and must vacate any appointment he may be holding, unless entitled to retain it under Rule II.

Consequences of furlough on medical certificate taken within 3 years of last return.

§ 2. If, however, he shall have served three years since the date of his last return to duty, although there may be no balance of Furlough at his credit, he will be entitled, on obtaining Furlough on Medical Certificate, to retain his appointment, and to receive "Furlough Pay" as laid down in Rule V, for the entire period not exceeding two years. Should the latter period be exceeded, he will come under the provisions of Rule XIII.

"Furlough at credit" bars furlough on medical certificate.

XV.—An Officer entitled to Furlough, or having a balance of Furlough at his credit, whose health may necessitate his absence from India, must take the leave as Furlough under Rule IX, but without forfeiting any Passage money to which he may be entitled under Military Fund Rules,—or, if a Subaltern, by Regulation,—when proceeding on Medical Certificate.

Furlough on medical certificate when extended on private affairs.

§ 2. Should the Officer be declared fit for duty before the expiration of two years, he may be granted extension on Private Affairs up to that limit, provided that he has so much at his credit, and that if he remains he will not be in excess of the established proportion of absentees. Any extension *on Private Affairs* of such Furlough beyond the said period of two years must be without pay.

Furlough at credit must be exhausted before furlough on medical certificate can be given.

§ 3. Any extension on Medical Certificate of Furlough under § 1 of this Rule beyond two years, or any lesser period which may be at his credit under Rules IX and X, will be regarded, in all respects, as Furlough on Medical Certificate (Rule XIII); and if the period of two years should not exhaust the balance of Furlough at his credit under Rule X, the period or periods of extension shall be deducted from such balance till the latter is exhausted. On the aggregate of two years' leave being exceeded, the Officer will come under the provisions of Rule XIII.

Total furlough with pay, &c., in an officer's service limited to 8 years.

XVI.—The aggregate amount of Furlough with pay and retention of appointment on Private Affairs and on Medical Certificate, that may be granted to an Officer during his service, will be limited to eight years.

Furlough not reckoned in this period.

NOTE.—The following periods of leave, however, will not be reckoned in this period of eight years:—

§ 1.—Leave without pay.

§ 2.—Sick Leave to Europe, or to the Colonies eastward of Cape under the Rules of 1796.

§ 3.—Leave taken under Rule XI of these Rules, provided it be not extended over the six months. If it be so extended, the whole period will reckon as part of the eight years.

§ 4.—Leave necessitated by wounds, or sickness contracted on active service, and any other leave which may be allowed by proper authority, to reckon as service for pension.

Appendix C1.—Military Furlough Rules of 1868.

§ 5. In the case of an unemployed officer, periods of residence in England on English pay after promotion to the rank of Major-General, or to the rank of Regimental Colonel in the Royal (late Indian) Artillery and Engineers, or after completion of tour of service as Inspector General or Deputy Inspector General of Hospitals when the Officer is no longer required to reside in India.

All other leave to Europe, or out of India, for periods exceeding three months (see Rule XXVII), including Furlough on Medical Certificate under the Furlough Rules of 1854, will form part of the period of eight years.

XVII.—If taken in India, Furlough will be reckoned from the date of the absentee's quitting his Station to the date of his return thereto; if taken out of India, from the date of the sailing of the vessel in which he may have embarked to the date of his *bonâ fide* disembarkation in India for the purpose of rejoining his appointment or Regiment; the date of embarkation (or of the vessel's leaving the Sandheads if from Calcutta) and that of disembarkation also, are included in the Furlough.

Dates from and to which furlough is reckoned.

NOTE (1).—As an illustration of this Rule, it may be observed that a Madras Officer's landing and reporting himself at Madras *en route* to Calcutta to join his appointment in Bengal or the North-Western Provinces, &c., is not disembarkation in the sense intended by this Rule.

NOTE (2).—To enable an Officer who overstays his leave to obtain an extension, he should show that he took all needful precautions to ensure his arrival in proper time, and if delayed by the departure of the vessel being deferred, he should obtain the certificate of the Owner or Agent that she had been *bonâ fide* advertised to sail from————on the————but that her departure had been delayed till the————. See General Order No. 52, dated 21st February 1873.

Extension to cover excess over furlough how obtained.

XVIII.—Preparatory Leave to embark for Europe, or elsewhere, on Furlough will be granted for any period deemed necessary, not ordinarily exceeding 30 days. Leave up to the same limit, to enable him to rejoin on his return from Furlough, will be granted from the date succeeding that of his disembarkation in India. This applies equally to Furloughs taken under Rule XI. The authority which has power to grant Preparatory Leave can, on due cause being shown, grant any necessary extension of it; but this can be done only on very sufficient reasons.

Preparatory leave.

Limited ordinarily to 30 days.

NOTE (1).—An Officer obtaining a Furlough on Private Affairs or Medical Certificate must embark within three months of the date of the General Order which notifies it, or take up the first portion of his Furlough in India until he embarks; if not, the General Order will cease to have effect. The only exception to this Rule that can be allowed is when the Officer is prevented from embarking within the three months owing to his detention in India by proper authority on *bonâ fide* public grounds. If, however, the Officer does not within a reasonable time avail himself of the Furlough given him, his subsequently being placed on duty rendering his detention necessary will not exempt him from the Rule; and in every case of such detention the Officer must at once report it, and he is not to embark after the expiration of three months until he has applied for and obtained from the Government of his Presidency an extension of the period.

G. G O. granting furlough has effect for 3 months only.

Detention when deemed a valid excuse.

Appendix CI.—Military Furlough Rules of 1868.

NOTE (2).—Officers who may be serving in other Presidencies than their own if they desire to embark *bonâ fide* for Europe from the latter, may obtain Preparatory Leave accordingly, and their Furlough will reckon from the date of their embarkation at their own Presidencies.

An officer serving out of his Presidency may embark from it.

NOTE (3).—For full information as to the submission of Applications for Furlough, see G. G. O. No. 34 of 11th January 1869; G. G. O. No. 103, dated 26th January 1869; General Order by the Commander-in-Chief, No. 135, dated 11th June 1870.

Applications for furlough how submitted.

NOTE (4).—The allowances of Military Officers in Civil employ during Preparatory Leave, and after return to India until they rejoin their appointments, will be adjusted according to Civil Rules.

NOTE (5).—Leave preparatory to retirement from the service does not reckon as service towards pension.

Leave preparatory to retirement.

XIX.—Furlough allowances are payable monthly, if payment is taken in India; and quarterly, if payment is taken in England.

Pay issued monthly in India; quarterly in England.

XX.—Advances* of Furlough Pay will continue to be made in India to those Officers who desire it for three months from date of embarkation. Payments in continuation will be made in England on the expiration of six months from that date. No advance is made in England to Officers on their returning to duty.

Advances of furlough pay given in India only.

XXI.—The Last-pay certificate issued to each Officer who may be granted Furlough, whether on Private Affairs or on Medical Certificate, will specify the rate of the pay and staff salary of his last substantive appointment, and the rate to which he will be entitled in Europe in virtue of Rule V.

Last-pay certificate to show rate of furlough pay, &c.

XXII.—An Officer acting in India for an Absentee on Furlough will be restricted, for the entire period that he may so act, to the half staff salary of the appointment in which he may be acting, in addition to the full pay of his rank and the half staff salary of his own appointment, if he possess one. †The aggregate staff salary

Pay of officers acting for those on furlough.

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* *G. G. O., Military Department, No. 175, dated 22nd February 1878.*—Under instructions from Her Majesty's Government, the Right Hon'ble the Governor General in Council is pleased to publish the following Rules regarding Advances of Pay to Officers under the Furlough Rules of 1868 and 1875:—

Officers proceeding on Furlough to Europe may, if they desire it, receive an advance equivalent to three months' Furlough Pay.

Officers returning from Furlough will, similarly, be granted advances of pay at the following rates, on obtaining permission to return:—

for a Subaltern	...	...	...	£ 65
for a Captain	...	...	...	£ 100
for a Field Officer	...	...	...	£ 150

Recovery of the Advances made in England to be effected in India by five equal monthly instalments, at the rate of exchange fixed for the year.

† Original Rule modified by G. G. O. No. 585, dated 5th June 1874, paragraph 4.

Appendix C.

Page 216.

Insert the following under the first foot-note :—

Note.—An officer who will certainly be promoted to higher rank before he reaches India, may receive an advance as if he had already been so promoted.] (60)

granted to the Acting Officer in such cases will not be less than Rs. 100 per mensem, unless the full staff salary of the post in which he is officiating is less than that sum.

Pay of Warrant Officers acting for others on furlough.

A Warrant Officer, acting for one of a higher grade on Furlough, receives half of the aggregate allowances of the Absentee, added to half of the aggregate of his own allowances.

[NOTE.—* The indulgence granted by §1 of this Rule is only allowed to one *directly* officiating in the place of the Officer absent on furlough, not to one acting in the room of an Officer who is himself acting for an absentee on Furlough.]

XXIII.—The privilege heretofore granted to Military and Medical¶ Officers who had elected the Rules of 1854, of counting the proportion of leave noted in the margin as service for pension, is retained, and is applicable to those who elect these Rules, subject (in the case of Officers under the Rules of 1796) to the condition laid down in § 4 of Rule XXXIV. The periods of service qualifying for pension remain unaltered.

¶ Who can also reckon 1 year and 8 months in 17 years' service.†

Periods of furlough, &c., counting as service towards pension.

Yrs.		Yrs.
2	in	20
3	„	25
4	„	30
5	„	35
6	„	38

Periods of furlough reckoned by Warrant Officers towards pension.

§ 2. Warrant Officers obtaining that rank after the 24th August 1872, can only reckon as service towards pension the following periods of leave, whether taken in or out of India:—

15 months in 12 years' Departmental Service.
20 „ „ 14 „ „
24 „ „ 16 „ „

Those who were promoted to Warrant Rank before that date are allowed to continue, if they prefer it, on the old rule, and reckon all leave in India as service, all out of India being deducted from their service for pension.

Illustration of the mode of computing service for pension in any case.

				Yrs.
Total service from date of arrival in India, say				30
Leave—	Yrs.	Mos.		
In Europe, say ...	6	7		
In India ...	3	5	Yrs.	
	—	—	= 10	
Of which he can reckon		...	4	
Remaining to be deducted		...	6	6
Service counting for pension		...	...	24

* Added by G. G. O. No. 585, dated 5th June 1874, paragraph 5.
† Added by G. G. O. No. 305, dated 26th March 1874.

Appendix CI.—Military Furlough Rules of 1868.

Furlough due how ascertained.

XXIV.—In computing the Furlough on Private Affairs to which an Officer who has already enjoyed some portion of such Furlough will be entitled under these Rules, it will be necessary to deduct the total amount of the Furlough on Private Affairs of which he may have availed himself during his service from the total periods to which under Rule IX he can lay claim. The balance (within the limit of eight years' total furlough on Private Affairs and Medical Certificate laid down in Rule XVI) will represent the leave to which he will be entitled on the expiration of not less than three years from his last return to duty.

Illustrations.

(1).—An Officer, who had obtained under the existing Rules two years' Furlough after ten years' service, returns to India on the date on which this order is promulgated. He accepts its conditions, and serves four years longer in India. On the expiration of that term, he can take one year's Furlough, thus—

Total service in India	14 years.
Leave to which that service entitles him ...	3 „
Already enjoyed	2 „
Balance	1 year.

(2).—An Officer of four years' service has proceeded on Sick Certificate to England for 20 months, extended afterwards to two years. He returns, serves six years in India, takes two years' Furlough, and returns to India about the time of the promulgation of these Rules, which he accepts. He must serve four years before he can take an additional year's Furlough: thus—

Total service up to return from Furlough ...	14 years.
Total service in India	10 „
Furlough enjoyed on that service	2 „
Further period of service to entitle him to one year's Furlough	4 years.

CHAPTER II.

GENERAL LEAVE ON PRIVATE AFFAIRS AND SICK CERTIFICATE IN INDIA.

Leave on private affairs or medical certificate limited to six months.

XXV.*—An Officer will be eligible, as at present, to take leave on Private Affairs or Sick Certificate anywhere in India for any period not exceeding six months, at the discretion of His Excellency the Commander-in-Chief, or of the Govern-

* A Military Officer in Civil Employ having applied for six months' Leave on Private Affairs to Cashmere, it was decided in the Military Department that Leave under this Rule was applicable only to Officers in Military Employ, an Officer in Civil Employ who has elected the Rules of 1868 coming under the provisions of Rule XXXIII. (*Military Department's Order, No. 66, dated 3rd April 1875.*)

No. 14.

Chapter II.

Rule XXV.

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Substitute the following for the foot-note to this Rule :—

A Military Officer, subject to Military Rules, in civil employ, cannot obtain cave under this Chapter, unless the Government has previously declined to permit him to resign his civil appointment and revert to military employment, and then only with the express sanction of the Local Government.—(*Military Department No.* 21, *dated 4th January* 1876.) (14 A.G.)

ment under which he may be serving. During the entire period of his absence on this account, the Officer will be entitled, as at present, to his full pay and a moiety of his staff salary. Leave taken under this Rule will form no part of the eight years' aggregate Furlough. If this indulgence should be taken advantage of for a third year consecutively, the Officer will lose his staff appointment, unless entitled to retain it under Rule II.

Pay as heretofore.

If taken for a third year consecutively, staff appointment forfeited.

XXVI.—Leave on Sick Certificate for a period exceeding six months, capable of extension, under renewed Medical Certificate, to a limit of one year, may be granted to any Officer who, in the opinion of a Medical Board, may require it. Leave of this nature, taken after the promulgation of these Rules, will be held to constitute a part of the maximum period of eight years' Leave of Absence to which an Officer is entitled in his entire period of service, but will not be regarded as Furlough, nor will it affect the intervals entitling to Furlough laid down in Rule IX. During this Leave the Absentee will draw a moiety of his staff salary in addition to the pay of his rank. But if the 12 months be exceeded, the whole leave must be reckoned as Furlough, and allowances be adjusted accordingly.

If extended to one year on medical certificate, reckons in the 8 years of Rule XVI.

If extended over one year, reckons as furlough.

XXVII.—Short Leave, not exceeding three months, on Private Affairs or Sick Certificate, may also be taken to sea on the above condition; but absence from India for any longer period will be treated as Furlough.

Short leave (not exceeding 3 months) allowed as heretofore.

XXVIII.—All General Leave taken in India counts as part of the Leave reckoning against service for pension.

CHAPTER III.

PRIVILEGE LEAVE.

XXIX.—Privilege Leave may be granted, as at present, for sixty days in each year* to all Officers in Military employ, without deduction from

Limited to 60 days in each year.

* *G. G. O. No. 540, dated 14th June 1878.*

The following Military Letter from the Right Honorable the Secretary of State for India, is published for general information:—

"I have received and considered in Council Your Military letter, No. 57, dated the 1st March 1878, forwarding a letter from the Adjutant General in India, conveying the recommendation of His Excellency the Commander-in-Chief, that officers in Military employ be allowed to accumulate their privilege leave to three months after 33 months' duty, in view to their visiting Europe, as now allowed to officers in Civil employ.

the salaries and emoluments drawn by them. General Leave, in extension of Privilege Leave, can only be granted on the ground of sickness, or some other serious emergency which could not have been foreseen when the Officer proceeded on Privilege Leave. Privilege Leave may, however, be converted into General Leave with the sanction of the Commander-in-Chief or the Government.

When extended.

XXX.—In the case of the Stations noted in the margin, Privilege Leave may, as at present, be granted for ninety days to Officers of Local Corps, or of Corps which are usually employed in one or other of the Districts named.

Ninety days allowed from certain stations.

Assam.
Shillong.
Erinpoora.
Deolee.
Khairwara.
Khotra.
Bunnoo.
Dera Ismail Khan.
Dera Ghazi Khan.
Rajanpore.
Jacobabad.

XXXI.—An officer is at liberty to proceed, wherever he may desire, on Privilege Leave, provided he can ensure his return before the expiration of his Leave.

No restriction as to place.

XXXII.—Privilege Leave cannot be taken in continuation of Furlough, nor can Furlough be obtained in continuation of Privilege Leave. If Furlough be obtained by an Officer while absent on Privilege Leave, the Privilege Leave will be converted into General Leave, the Officer for that period sacrificing a moiety of his staff salary.

Must be apart from furlough or other leave.

Military Officers in Civil employ.

XXXIII.—Those Military Officers (including Warrant Officers who hold Honorary, Veteran, or Unattached Commissions) in Civil or Political employ, who may elect these Rules when they take Leave in India, come, as respects periods of leave obtainable and amount of pay to be granted, under the Civil Leave Rules. When they take leave out of India, they come under the Military Leave Rules.

For Preparatory or Subsidiary leave, see Note (4) of Rule XVIII.

"2. As the measure is recommended by Your Government, and on the understanding that it will not involve, directly or indirectly, any additional expenditure, I am willing to sanction it on the terms proposed by His Excellency the Commander-in-Chief in India, *viz.*, that to claim the privilege it shall be necessary for an officer to show that he has had no privilege leave for 33 months, and that he has made satisfactory arrangements for the performance of his duties during his absence, at no additional cost to the State.

"As it will not be necessary for the officer during such absence to report himself to the India Office, it will be incumbent on him to keep his departmental superiors in India acquainted with his address." [*Secretary of State to Government of India, No. 129, dated 9th May 1878.*]

Appendix C2.—Military Furlough Rules of 1875.

Subsidiary Rule.

XXXIV.—Officers of the Indian Military and Medical Services will be required generally to notify their intention to accept these Rules, or to adhere to those now existing, on the first occasion of their taking Furlough or General Leave after the publication of this order. Such election must be considered final, and under no plea whatever will an Officer be subsequently relieved from the choice thus made.

Election of these rules to be final.

§ 2. Officers going Home under these Rules will pay English rates of subscription only to the Military Fund.

Fund subscription during furlough.

§ 3. Officers who may determine to abide by existing Rules, will be allowed to proceed on Furlough on the conditions laid down in Rules VII, VIII, and XIII, to the extent to which they may be entitled under the Furlough Regulations of 1854, or of 1796, whichever of the two they may have elected, and on the rates of pay contemplated in those Regulations, but retaining their appointments. The principle laid down in Rule XV must, however, be applied in those cases.

Benefits allowed to those who elect existing rules.

§ 4. If an Officer under the Furlough Rules of 1796 elects the present Rules, his service for pension will be reckoned under the former Rules up to 1st July 1868, and thenceforward under the Rules of 1868; and the fact of the Officer having been on Furlough on 1st July 1868, and not then having elected the Rules of 1868, will not affect the case. All periods of Leave out of Indian limits taken previous to 1st July 1868, will be wholly excluded from his service for pension; but he may reckon towards pension periods of Leave taken subsequent to that date, according to the length of his service counting for pension, as shown in Rule XXIII.

Previous service of officers under 1796 Rules how reckoned.

His election of these Furlough Rules in no way affects his right to *retire* under the Pension Rules of 1796.

Retirement under 1796 Rules not affected.

2.

MILITARY FURLOUGH RULES OF 1875.

REVISED FURLOUGH AND LEAVE RULES FOR THE STAFF CORPS AND INDIAN LOCAL AND MEDICAL SERVICES.

General Order, Military Department, No. 1316 of 1875, dated 30th December 1875.

Under instructions from Her Majesty's Government, the Right Hon'ble the Governor General in Council is pleased to publish the

Appendix C2—Military Furlough Rules of 1875.

following revised Furlough and Leave Rules applicable to the Staff Corps and Indian Local and Medical Services:—

Furlough and Leave Rules.

1. Officers included in Schedule A may receive, after five years' service in India or under the Government of India, one year's Furlough, and an additional year for each subsequent five years' service. Furlough not taken at the time it becomes due is not lost, and can, subject to these Rules, be taken later.

2. An Officer may receive at any time any portion of the Furlough to which he is entitled. But, except under Rule 8, he may not be absent from duty on any ground for more than three years consecutively; nor, on return from Furlough, may he receive, except under Rule 6, any further portion of the Furlough to which he is entitled, until after the interval of two years.

3. It must be distinctly understood that Furlough is subject to the exigencies of the Public Service. Officers commanding Regiments and Heads of Departments will forward no application for Furlough unless able to satisfy the superior authorities that the Officer's services can be spared without any inconvenience to the Public Service.

4. Furlough does not involve forfeiture of appointment, may be spent anywhere, and counts as service for pension.

5. *A Commissioned Officer on Furlough receives (up to, but not beyond, the sum of 1,000*l.* a year) half the emoluments of his office, computed according to a rate of exchange to be fixed in each year by the Secretary of State: but in any case he does not receive less than 250*l.* a year. The emoluments of his office include all Pay, Staff Corps Pay, Staff Salary, and Indian Allowances he would receive in respect to it if he were on duty, and for the purpose of each payment his office is the office he fills on the day when that payment becomes due.

† A Warrant Officer receives half the emoluments of his office calculated in the same manner as those of Commissioned Officers, no Warrant Officer, however, receiving as Furlough Pay less than the English Furlough Pay of his rank.

6. Upon certificate of a Medical Board, an Officer not entitled to Furlough, if he has served not less than two years in India, may receive it for any period not exceeding two years; but such Furlough will be deducted from his next accruing Furlough until it is paid off. An Officer will not be allowed to anticipate Furlough under this Rule to an aggregate amount of more than two years.

Ruling.—‡ An Officer of less than two years' service, from date of coming under the new Rules, falling sick, will be sent to England on Medical Certificate on English

* Original Rule modified by G. G. O. No. 440, dated 11th May 1877.
† Added by G. G. O. No. 440, dated 11th May 1877.
‡ G. G. O., Military Department, No. 1110, dated 27th October 1876.

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For "page 181" *in the second foot-note, read* "page 216". (71)

Appendix C2.—Military Furlough Rules of 1875.

Furlough Pay, subject to the decision of Her Majesty's Government as to his ultimate disposal, a special report on each case being submitted to Her Majesty's Government by the Government of India, or, in the case of Officers of the Madras or Bombay Army, by the Governments of those Presidencies.

7. An Officer who has exhausted the Furlough obtainable under these Rules, and who may be certified by a Medical Board to be still unfit for duty, will be placed temporarily or permanently on half-pay, according to the circumstances of the case.

8. Under very urgent circumstances Special Furlough may be granted for Private Affairs, which need not be paid back; but it will be in all cases without any kind of pay, and will not count for pension.

Ruling.—* The amount of Leave which may be granted under this Rule will be restricted to such period as the Government granting it is satisfied is actually necessary with reference to the urgency of the case.

9. †Advances for Passage Money, on need shewn, will be granted to Officers on Furlough, to be recovered in manner specified at the time of the grant: in India, at the discretion of the Local Government: and in England, at the discretion of the Secretary of State.

10. Leave may be granted for any period not exceeding six months at a time, and may not, except for very urgent reasons, to be specially reported to the Government of India, be renewed till after six months have elapsed from its expiration. It must be spent at some place east of the 40th degree of east longitude. Subject to these conditions, it may be granted or refused entirely at the discretion of the local authorities, who in granting it shall fix its duration, and may fix the limits within which it shall be spent, and whether during its continuance half-pay and allowances are to be deducted for the payment of a substitute; and they may grant it as preparatory to Furlough or for the purpose of a medical examination. Leave counts as service for Pension and Furlough. The local authorities shall be defined for the purpose of this Rule by the Government of India.

11. Leave and Furlough are reckoned from and to the close of the days named in the order granting them.

12. The position of Officers not included in Schedule A will be unchanged as respects Leave or Furlough.

13. Officers now in the service placing themselves, from a given date, under these Rules shall count service for pension up to that date under the Rules to which they were then subject.

Ruling.—* An Officer takes with him so much service for pension as he had become entitled to under former Rules. Under the Rules of 1854 and 1868, two years' leave in 20 years' service counts for pension, but in periods of less than 20 years, no Leave counts. Therefore, if an Officer, now under the Rules of 1854 or 1868, of 20 years' service, with two years' Leave, elects the present Rules, his service for pension will be 20 years; if an Officer of 19 years' service with the same amount of Leave elects these Rules, his service for pension will be 17 years only.

* G. G. O., Military Department, No. 1110, dated 27th October 1876.
† See foot-note to Rule XX, page 161.

Appendix C2.—Military Furlough Rules of 1875.

Schedule A.

Officers entering the Staff Corps or the Indian Medical Service, and Warrant Officers attaining that rank, after the 31st December 1875 ;and

Ruling.—* The date of entry into the Staff Corps is that of entry for choice of Furlough Rules, *viz.*, the date on which the Officer was originally appointed on probation. An Officer, therefore, whose date of admission to the Staff Corps is not after the 31st December 1875, will have the choice of Rules, but an Officer whose date of admission is after that date will have no option.

Any other Officers, Commissioned or Warrant, belonging to the Indian Army or Medical Service, or Officers of the Staff Corps, who, after the 31st of December 1875, shall, before asking for Leave or Furlough, apply in writing to their Local Governments to be placed definitively upon this Schedule : but their service for Furlough under Rule I shall commence from the date of such entry or such application respectively.

Ruling —* An Officer coming on this Schedule, having Furlough to his credit under previous Rules, forfeits such Furlough absolutely, he being required to serve five years from date of applying to be placed on the Schedule before he can take one year's Furlough unless it be Sick Furlough under Rule 6. An Officer similarly circumstanced, but having Furlough to his debit, is equally with the others entitled to take one year's Furlough, five years after joining the new Rules.

Any Officers in Civil employment declared by the Government of India to be under Civil Leave Rules shall not be under these Rules.

*** The Last Pay Certificate issued to an Officer to whom Furlough or Leave has been granted shall state the pay to which, under Rule 5, he is at that date entitled in respect to the Office he is holding, noticing the date, if any, fixed, at which he will vacate it.

With advertence to the foregoing Rules, the Right Hon'ble the Governor General in Council is pleased to notify—

I That no "Extra Special Allowances" drawn by an Officer which are now excluded from the account in calculating Furlough Pay under the Rules of 1868, can be reckoned in calculating Furlough Pay under these Rules (Rule 5).

II. That the Governments of the three Presidencies, or their Excellencies the Commanders-in-Chief in regard to Officers serving directly under them shall be held to be the "local authorities" named in Rule 10.

III. That pending further orders, a Staff Officer granted Leave under Rule 10, shall receive, as heretofore, the pay or Staff Corps pay of his rank and half the Staff Salary of his appointment during such Leave: but full Staff Salary may be allowed him for the first two months (as now during Privilege Leave) when he makes approved arrangements for the performance of his duties during that period. In such cases the G. O. granting the Leave must state that the first two months are to be on full Staff Pay.†

* G G O, Military Department, No. 1110, dated 27th October 1876.

† With the sanction of the Right Honourable the Secretary of State for India, it is notified that the provisions of G. G O. No. 540, dated the 14th June 1878, granting privilege leave to officers for three months after 33 months' duty, are extended to officers under the Furlough Rules of 1875.

2 It is to be understood that to claim the privilege it shall be necessary for such an officer to show that he has had no leave on full Indian pay and allowances for 33 months previous to date of his application, and that he has made satisfactory arrangements for the performance of his duties during his absence at no additional cost to the State.—*G. G. O, Military Department, No.* 185, *dated* 28*th February* 1870.

Page 225.

Add the following as a foot-note to the words "CIVIL EMPLOY":—

An officer who entered permanent Civil Employ after the 10th January 1880; or who, being already in such permanent employ on that date, had not then been continuously in civil employ, whether officiating or substantively, for five years, holds his appointment subject to any change in his position as a Military Officer, which may hereafter be ordered. (*G. G. O., Military Department, Nos.* 6*A., dated* 10*th January* 1880, *and* 781*A., dated* 2*nd April* 1880). (5 A.G.)

Appendix D, Form A.

N. B.—It is distinctly to be understood that the Rule regarding the pay to be drawn on Leave under paragraph 10 is liable to be modified at any time in any way that the Government of India may deem expedient.

IV. Pending further orders, these Rules are not applicable to any Officer in Civil Employ.

SUPPLEMENTARY RULES FOR MILITARY OFFICERS IN CIVIL EMPLOY.

Despatch No. 164, dated the 10th May 1877.

His Excellency the Governor General in Council is pleased to notify the following Supplementary Regulations, which have received the approval of the Right Hon'ble the Secretary of State for India, providing for the case of Military Officers in Civil Employ, referred to in paragraph IV of the Subsidiary Rules appended to G. G. O. No. 1316 of the 30th December 1875 :—

I. Any Officer now in Civil Employ, who is subject to the Military Furlough Regulations of 1854 or 1868, shall remain so subject.

II. Any Military Officer who may hereafter enter Civil Employ, who is not already subject to the Military Furlough and Leave Rules of 1875, shall remain subject to the Rules applicable to him when he enters Civil Employ.

NOTE.—An officer referred to in Rules I and II cannot elect the Military Furlough and Leave Rules of 1875, so long as he continues in Civil Employ.

III. Any Officer who may enter Civil Employ, who is already subject to the Military Furlough and Leave Rules of 1875, shall be subject to the Rules in the Civil Leave Code applicable to Covenanted Civil Servants, both as regards Furlough and Leave taken out of India and in India.

IV. If any Officer, who is employed in the Civil Administration, has taken Furlough in the Military Department under the said Rules of 1875, this Furlough shall be treated, in calculating the Furlough or Special Leave admissible to him under the preceding Rule, as if it had been Furlough taken under the Civil Leave Code. Leave so taken under the 10th Military Rule shall be treated as if it had been Privilege Leave taken under the Civil Leave Code, and the claims of the Officer under the Civil Leave Code adjusted accordingly.

V. If an Officer, who has been subject to the Rules in the Civil Leave Code under the third of these Rules, is again employed in the Military Department, and so again becomes subject to the Military Furlough and Leave Rules of 1875, any Furlough or Special Leave taken by him under the Civil Leave Code will be treated, in calculating the Furlough admissible to him under the said Military Rules, as if it had been Furlough taken under the said Military Rules. Privilege Leave taken under the Civil Leave Code Rules will be treated as if it had been Leave taken under the 10th Military Rule. Subsidiary or Examination Leave taken under the Civil Leave Code will not affect the claims of such an Officer under the Military Furlough and Leave Rules.—*G. G. O., Military Department, No. 1102, dated the 7th December 1877.*

APPENDIX D.

FORM A.

(Obverse.)

Furlough Rules of 1854.

Certified that A. B. has years months days' Furlough on Private Affairs at his credit, and is under the Furlough Rules of 1854.

Appendix D, Form B.

A. B. is eligible for such Furlough for years months days on English Furlough Pay, and to such extension on Medical Certificate without pay, as may be granted.

Should A. B. proceed on Medical Certificate, he will be eligible for Furlough for twenty months on pay in the first instance, drawing for the first six months Indian Pay (or Pay and Allowances) and Half Staff Salary, and for the remaining fourteen months English Furlough Pay. Extension of this Leave up to three years in all on English Furlough Pay can be given on Medical Certificate, but any further extension will be without pay.

MILITARY DEPARTMENT,
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[NOTE.—On the back is noted the date of beginning and ending of any Leave already taken, the nature of such Leave, and the Rule under which it was taken.]

(Reverse.)

LEAVE ALREADY TAKEN		Nature of Leave.	Rule under which taken.
Date of beginning.	Date of ending.		

FORM B.

(Obverse.)

Furlough Rules of 1868.

Certified that A. B. has · years months days' Furlough at his credit, and is under the Furlough Rules of 1868.

A. B. is eligible for Furlough on "Furlough Pay" up to years months days in all, on Private Affairs, also to years months days more, if granted an extension on Medical Certificate.

But no pay can be granted to A. B. under any circumstances after he has been three years absent.

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NOTE.—(As in Form A.)

Pages 226 *and* 227.

After "Military Department" *in each place insert* "or Adjutant General's Office, as the case may be."

After "Secretary to the Government of" *in each place insert* "India", *substitute for those words* "or Adjutant General of the Army, as the case may be." (76)

Appendix D, Form C, Supplement A, Lieutenant-Governors and Members of Council.

(Reverse.)

(As in Form A.)

FORM C.

(Obverse.)

Furlough Rules of 1868.—Rule XI.

Certified that A. B. has years months days' Furlough at his credit, and is under the Furlough Rules of 1868.

Not being eligible for Ordinary Furlough, A. B. can only obtain it under Rule XI for a period not exceeding six months on pay equivalent to the British Regimental Pay of his Rank.

This furlough cannot be extended beyond six months except on Medical Certificate, on the same pay and for such periods as the Secretary of State may think fit. But any extension allowed after three years' absence must be without pay.

MILITARY DEPARTMENT,
The *187* } *Secy. to the Govt. of*

NOTE.—(As in Form A.)

Reverse.

(As in Form A.)

SUPPLEMENT A.

LIEUTENANT-GOVERNORS AND MEMBERS OF COUNCIL.

Lieutenant-Governors.

1.—Leave on Medical Certificate for not more than six months may be granted to a Lieutenant-Governor. On resuming his duties after such Leave, a Lieutenant-Governor is entitled to half his salary for the period of his absence. If he is prevented from resuming his duties, he is entitled to no Absentee Allowances.

A Lieutenant-Governor is not entitled to any other Leave.

Member of Council.

2.—The leave admissible to an Ordinary Member of the Executive Council of the Governor General, or of the Governor of Madras or Bombay, is regulated by Act of Parliament, Section 26 of 24 & 25 Vic., Cap. 67, as follows:—

Section 26.—It shall be lawful for the Governor General in Council, or Governor in Council of either of the Presidencies, as the case may be, to grant to an Ordinary Member of Council Leave of Absence, under Medical Certificate, for a period not exceeding six months, and such Member, during his absence, shall retain his Office, and shall, on his return and resumption of his duties, receive half his salary for the period of such absence; but, if his absence shall exceed six months, his Office shall be vacated.

SUPPLEMENT B.

JUDGES OF HIGH COURTS AND CERTAIN LEGAL AND JUDICIAL OFFICERS.

*Regulations by the Secretary of State in Council of India under the provisions of 24 & 25 Victoria, Cap. 104, Section 6, respecting the furloughs * * * of the Chief Justices and Puisne Judges of the High Courts of Judicature, for the Bengal Division of the Presidency of Fort William, Madras, Bombay and the North-Western Provinces; and Regulations by the Secretary of State in Council respecting the furloughs and leaves of absence of certain other Legal and Judicial Officers.*

* * * * * *

DEFINITIONS.

Actual service.

I.—In the following Rules, "Actual Service" includes—

(1.) Time spent on duty as a Judge or Officiating Judge of a High Court.
(2.) Privilege Leave of Absence.
(3.) Subsidiary Leave of Absence.
(4.) Duly authorised Vacations, provided that the Judge is not absent on Furlough or Extraordinary Leave.

Extraordinary Leave.

"Extraordinary Leave" means any Leave granted otherwise than under these Rules.

Furlough.

II.—One year's Furlough shall be placed to the credit of each Judge, after the completion of every four years of Actual Service.

No. 17.

SUPPLEMENT B.

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Prefix the following Note :—

[NOTE.—Excepting Rule XVI, these Rules will not apply to the Hon'ble Sir M. R. Westropp, Chief Justice, Bombay, the Hon'ble F. B. Pearson, Puisne Judge, Allahabad, and the Hon'ble L. C. Innes, Puisne Judge, Madras. Leave to these Judges, other than Privilege Leave, is regulated by the Rules in the Appendix. The Hon'ble L. C. Bayley, Puisne Judge, Bombay, may elect to be placed in the same category, when next he takes leave other than Privilege Leave.] (17 A. G.)

Supplement B.—Judges of High Courts and certain Legal and Judicial Officers.

III.—Except under Rules VI and VII, no Furlough shall be granted until at credit under Rule II.

Provided that any Judge who may have been already in the service of the Government at the time of taking office in the High Court, and who was, at that time, entitled, under the Rules applicable to the branch of the Service to which he belonged, to Furlough, without Medical Certificate, may be granted Furlough for a term not exceeding that to which he was so entitled upon the condition that such Furlough shall not be taken until the completion of two years' Actual Service in the High Court, and shall not exceed one year.

IV.—Except under Rule VII, Furlough shall not be repeated until after the completion of three years' Actual Service from the date of the last return from Furlough or Extraordinary Leave.

N.B.—The words "Furlough or Extraordinary Leave" in the foregoing Rule mean Furlough under these Rules, or Extraordinary Leave granted to an Officer since he has been a Chief Justice or Judge of a High Court.

V.—The maximum term of Furlough which may be taken at any one time shall be fifteen months. Maximum amount.

VI.—Under Medical Certificate, Furlough may be granted before it is at credit under Rule II.

VII.—On Urgent Private Affairs, Furlough may be granted before it is at credit under Rule II, and although three years of Actual Service have not been completed since the last return from Furlough or Extraordinary Leave.

Provided that Furlough under this Rule shall not exceed six months, and shall be granted only once during the whole period of a Judge's service in the High Court.

VIII.—The aggregate amount of all Furlough which can be granted to a Judge during the whole period of his service in the High Court is two years and a half.

IX.—Furlough taken in India shall be reckoned from the date of the Judge's quitting his Office to the date of his return thereto. Furlough taken out of

India shall be reckoned from the date of embarkation to the date of return.

[NOTE.—By the date of return is meant the date of debarkation.]

In the event of the Furlough being taken partly in India, and partly out of India, the commencement and termination of the Furlough shall be respectively determined by the foregoing Rules, according as the Furlough begins or ends in or out of Inda.

Subsidiary leave.

X.—For the interval elapsing between the date of quitting his Office and the commencement of Furlough out of India, and between the termination of Furlough out of India and resuming his Office, a Judge may be allowed Subsidiary Leave not ordinarily exceeding thirty days, which, in special cases, may be extended.

Allowances on furlough or subsidiary leave.

XI.—A Judge, when on Furlough or Subsidiary Leave, shall receive allowances at the rate of Rs. 833-5-4 per mensem in the case of Leave taken in India, or £1,000 per annum in the case of Leave taken out of India.

Limitation of furlough.

XII.—Except under Medical Certificate, the number of Furloughs to be granted at any one time, and the grant of Furlough to individual Judges, shall be subject to, and limited by, the exigencies of the Service, which exigencies shall be determined exclusively by the Authority granting the Furlough.

Priority of grant of furlough.

XIII.—If, owing to the exigencies of the Service, it may be necessary to place any limit on the number of Judges who may be absent on Furlough at the same time, applications not supported by Medical Certificate will be granted in the following order:

The Judge to whose credit the greatest amount of Furlough remains under Rule II shall have the preference.

If two or more Applicants are on an equality in this respect, the preference shall be given to the applicant whose actual service in a High Court is longest, reckoning, in the case of a Judge who has not taken Furlough or Extraordinary Leave, from the date of his commencement of service in the High Court, and, in the case of a Judge who has taken Furlough or Extraordinary Leave,

from the date of his last return from such Furlough or Leave.

If two or more Applicants are equal in both respects, the preference shall be given to the senior in the Court.

Privilege Leave.

Amount admissible.

XIV.—Subject to the exigencies of the Service, a Judge who has completed eleven months' Continuous Duty, inclusive of Vacations, may, if the Government be satisfied that there is an urgent necessity, but not otherwise, be granted Privilege Leave for one month without deduction from his Salary or Acting Allowances.

XV.—In the same manner, and under the same conditions, an additional month of Privilege Leave shall be held to accrue to a Judge after each further period of eleven months' Continuous Duty.

Not admissible in instalments.

XVI.—Privilege Leave shall not be taken in instalments; but any balance of Privilege Leave that may not have been taken shall be added to the next Privilege Leave which may accrue.

Provided that the whole Privilege Leave taken at any one time shall not exceed three months, and that any accumulation of Privilege Leave beyond that period shall be forfeited.

[Note.—Section 44, Rule 1 of the Code shall not be held to apply to a Chief Justice or Judge of a High Court, even though, under Rule XXIII, he may elect to abide by former Rules. Whatever Rules such an Officer may elect, Privilege Leave shall not be granted to him except on urgent necessity being shewn.]

General.

Commutation.

XVII.—Furlough and Privilege Leave shall not be taken, as such, in continuation of each other; but if a Judge absent on one of these classes of Leave be allowed to change it for another, the whole period of his absence shall be held to be under the class of Leave for which it was changed.

Applications.

XVIII.—Applications for Leave shall in all cases be submitted in such manner as the Government may, from time to time, prescribe.

Supplement B.—Judges of High Courts and certain Legal and Judicial Officers.

Payment of leave allowances.

XIX.—Leave Allowances shall be payable monthly if payment is taken in India, and quarterly if payment is taken in England.

Lien.

XX.—No substantive appointment shall be vacated, merely by reason of Leave being granted under these Rules.

Overstayal of leave.

XXI.—If a Judge shall overstay any Leave, he shall forfeit all salary during the time of his remaining so absent, and if he shall so continue absent more than one week, his office shall be liable to become vacant.

Leave not to count towards pension.

XXII.—No leave, except Privilege Leave and Leave Subsidiary to Furlough, shall count as service for pension.

Option of old rules.

XXIII.—Each Judge who stood appointed to a High Court on the 7th August 1869, and has taken no Leave since then, shall, on the next occasion of his taking Leave, be given the option of accepting these Rules or abiding by those in force before that date for Judges of the High Courts of Judicature. Any Judge who has taken Leave since the 7th August 1869, must abide by the Rules he elected when taking that Leave.

[NOTE.—Under this Rule a Covenanted Civil Servant, who stood appointed as Judge of a High Court on the 7th August 1869, may take Leave on Medical Certificate under the Rules which were in force before the 1st July 1868, for the grant of such Leave to Covenanted Civil Servants generally.]

Covenanted Civil Servant.

XXIV.—If a Judge, who is a Covenanted Civil Servant, shall be permitted to resign his office and remain in the service, all Leave which he may have taken as a Judge of the High Court shall be reckoned as if it had been taken under the Rules for the Leave of Absence of Covenanted Civil Servants.

Certain legal officers.

XXV.—The foregoing Rules regarding Furlough and Leave of Absence (I to XXIV) are, with the modifications A and B below stated, applicable also to the following Officers, provided that they were before their appointment practising Barristers of England or Ireland, or practising Members of the Faculty of Advocates of the Court of Session of Scotland:—

Juges of the Chief Court of the Punjab.

Recorders in Burmah.

Page 232.

Cancel Rule XXIII. (17 A. G.)

First Judges of Small Cause Courts at Presidency Towns.

Secretary to the Government of India in the Legislative Department.

MODIFICATIONS INDICATED ABOVE.

A. The Allowances of these Officers while on Furlough or Subsidiary Leave shall not exceed half their salaries, and shall be limited also to the rate prescribed in Rule XI.

B. The Privilege Leave of the Secretary to the Council of the Governor General for making Laws and Regulations shall be regulated by the Civil Leave Code.

SUPPLEMENT C.

LAW OFFICERS.

The following Rules regulate the grant of Leave of Absence and Acting Allowances to Law Officers :

Definition.

1. In these Rules, unless there be something repugnant in the subject or context, the term "Law Officer" includes—

An Advocate General.
A Standing Counsel.
An Administrator General.
An Official Trustee.
An Official Assignee.
A Receiver of a High Court.
An Officer of a High Court who holds an appointment which by law can be held only by a Barrister.
Secretary in the Legislative Department to a Local Government.
A Remembrancer or Assistant Remembrancer of Legal Affairs.
A Government Advocate.
A Clerk of the Crown.
A Government Solicitor.
A Government Pleader, and
A Government Prosecutor.

Belonging to the Covenanted Civil Service.

2. The Leave of Absence and Acting Allowances of a Law Officer who is a Covenanted Civil Servant are

regulated by the Civil Leave and Acting Allowance Codes.

Other than a Covenanted Civil Servant.

3. The Leave of Absence and Acting Allowances of a Law Officer who is not a Covenanted Civil Servant, or a Government Pleader or a Government Prosecutor, but whose pay is fixed, and his whole time retained for the service of Government, are regulated by the Civil Leave and Acting Allowance Codes, as if he were a Covenanted Civil Servant.

Government Pleader or Government Prosecutor.

4. A Government Pleader or Government Prosecutor is entitled to such Leave of Absence and Allowances when on Leave, and to such Acting Allowances as the Authority who appoints him may think fit to grant; provided that no expense be caused to the Government.

Not belonging to the Covenanted Civil Service.

5. The Leave of Absence and Acting Allowances of a Law Officer who is not a Covenanted Civil Servant, or a Government Pleader, or a Government Prosecutor, whose pay is fixed, but whose whole time is not retained for the Public Service are regulated by the following Rules:—

Active Service

I.—"Active Service" includes, besides Time spent on Duty, Leave of Absence taken under Rule III, and Subsidiary Leave of Absence taken under Rule VIII.

Application.

II.—An Application for Leave of Absence must be submitted through the Officer who passes his pay to the Authority to whom the Officer is directly subordinate.

Leave during vacation.

III.—Leave of Absence during the Vacation of the High or Chief Court within whose jurisdiction the Officer serves, may be granted without deduction of pay; provided that no expense be caused by the grant of such Leave.

Leave on medical certificate.

IV.—Leave may be granted on Medical Certificate for a period not exceeding one year; and Leave so granted may, on Medical Certificate, be extended to twenty months.

V. Leave of Absence on Medical Certificate may not be granted again until after three years' Active Service.

On private affairs.

VI.—Leave of Absence on Private Affairs for a period not exceeding six months may be granted once only to an Officer who has rendered six years' Active Service.

Furlough.

VII.—After four years' Active Service, Furlough

without Pay, but with retention of appointment, may be granted for a period not exceeding one year.

Subsidiary leave. VIII.—In very urgent cases, Subsidiary Leave of Absence may be granted under Sections 34 and 35 of the Civil Leave Code. Provided that no expense be caused by the grant of such Leave.

Commutation. IX.—Excepting Subsidiary Leave, no kind of Leave may be granted in continuation of any other kind of Leave; but any Leave granted under these Rules may be, retrospectively, changed for any other kind or amount of Leave which might at first have been granted.

Beginning and ending of leave. X.—If an Officer who has obtained Leave of Absence makes over charge of his Office before noon, his Leave begins on, and includes, the day on which he makes over charge; otherwise, it begins on, and includes, the following day.

XI. If an Officer resumes charge of his Office after noon, his Leave of Absence ends on, and includes, the day on which he resumes charge; otherwise, it ends on and includes the day before he resumes charge.

Allowances. XII.—An Officer, while on Leave under Rule IV, V, or VI, is entitled to half-pay: Provided that his maximum Leave Allowance shall be, if paid in India, Rs. 833$\frac{1}{3}$ a month, and, if paid at the Home Treasury of the Government of India, £250 a quarter.

Acting Officer. XIII.—An Officiating Officer is entitled to the pay of the appointment less the fraction of it drawn by the Absentee in addition to the same fraction of the pay of his own substantive office if any. In calculating this fraction the maximum Leave Allowance of £250 a quarter, payable from the Home Treasury of the Government of India, is held to be equal to Rs. 2,500.

ILLUSTRATIONS.

A, the Remembrancer of Legal Affairs in Bombay (pay Rs. 1,000 a month) officiates for B the Advocate General (pay Rs. 2,000 a month) who is on leave with an Absentee Allowance of £1,000 a year=Rs. 833$\frac{1}{3}$ a month, or $\frac{5}{12}$ths of the pay of the Advocate General. A is entitled to $\frac{7}{12}$ths of the pay of the Advocate General=Rs. 1,166$\frac{2}{3}$, and $\frac{5}{12}$ths of that of Legal Remembrancer =Rs. 416$\frac{2}{3}$, *i. e.*, to a total of Rs. 1,583$\frac{1}{3}$ a month.

Provisos :—

(1) The minimum salary of a Standing Counsel at Calcutta is Rs. 1,000 a month :

(2) The minimum salary of a Government Advocate at Lahore, Allahabad, Rangoon, or Moulmein is three-quarters of the pay of the appointment.

Paid by fees.

6. Leave of Absence may be granted under the Rules in Clause 5 to a Law Officer who is paid by Fees, whether his whole time be retained for the service of Government or not, on condition that he make such arrangements for the performance of his duties as are satisfactory to the Authority by which he is appointed, and on condition that, in case of his obtaining Leave of Absence on Private Affairs under Rule VI, the Officiating Officer shall receive the whole of the Fees attached to the Office.

Option.

7. A Law Officer, who was in the public service on the 2nd December 1875, was allowed the option of remaining subject to the Rules which regulated his Leave and Allowances before that date, provided that such option was declared before the 2nd June 1876.

SUPPLEMENT D.

Bishops.

Rules regulating the grant of Leave to Bishops.

Furlough or leave on Medical Certificate.

1. A Bishop may be allowed Leave of Absence either on Medical Certificate or on Furlough.

Amount admissible on medical certificate.

2. The amount of Leave of Absence on Medical Certificate admissible to a Bishop is limited to two years.

3. Subject to the limitation in Rule 2, Leave of Absence may be granted to a Bishop upon Medical Certificate for a period not exceeding one year. Leave so granted may be extended upon Medical Certificate to any period not exceeding eighteen calendar months.

4. The amount of Furlough admissible to a Bishop at one time is limited to six calendar months.

Amount of Furlough.

5. The amount of Furlough earned by a Bishop is one-eleventh of the time during which he has been on

Supplement C.

Section 5.

Page 236.

Insert the following Rule under this Section:—

XIV.—If an Officer holds more than one appoint-

Section 6, to the word "appointed," applies to them, except that the periods of their leave are regulated by the Rules to which they are severally subject.[15]

duty without interruption: Provided that no additional Furlough can be earned by duty done while six months' Furlough is due, and that, when duty is interrupted, all Furlough earned theretofore is cancelled. Absence on Furlough, though not counting as duty, is not an interruption of duty within the meaning of this Rule.

Furlough not an interruption of duty.

6. The Furlough due to a Bishop is the Furlough which he has earned, less the period during which he has been absent on Furlough.

Furlough due.

7. To a Bishop who has been on duty without interruption for thirty-three calendar months and who has not, for twelve calendar months, been absent on Furlough, the whole or any part of the Furlough due to him may be granted.

Condition of grant of Furlough.

8. An Archdeacon or a Chaplain appointed to hold charge of a Diocese during the absence of the Bishop upon Furlough or upon Leave on Medical Certificate is entitled to an allowance of Rs. 500 a month in addition to the pay of his substantive Office.*

Charge of Diocese.

9. A Bishop while absent upon Furlough or upon Leave on Medical Certificate is entitled to full pay less Rs. 500 a month, but not to any other allowances.

Allowance on Furlough.

10. An Archdeacon or a Chaplain appointed to hold charge of a Diocese during the absence of the Bishop upon Leave on Medical Certificate is entitled to the Travelling and other similar Allowances admissible to the Bishop.*

Charge of Diocese.

11. The Allowances of the Bishop of Madras or Bombay when performing the functions of the Bishop of Calcutta during his Absence on Leave, are regulated by 5 & 6 Vic., cap. 119. In such case the Bishop of Madras or Bombay is entitled to an Allowance at the rate of Rs. 833⅓ a month in addition to his salary as Bishop of Madras or Bombay, and the Bishop of Calcutta will receive during such absence the salary of his Office less Rs. 833⅓ a month.

Allowances to the Bishop of Madras or Bombay when acting for the Bishop of Calcutta.

* Formal appointment of the Archdeacon by the Government to hold charge of a Diocese is not necessary to enable the Accountant General to pass the extra allowance of Rs. 500, and the travelling and other allowances admissible to the Bishop. It is sufficient for the Accountant General if he has received notice officially that the Government has directed the Archdeacon to undertake the Bishop's jurisdiction or take charge of the Diocese.

12. A Bishop of Madras or Bombay exercising the Episcopal Jurisdiction and Functions appertaining to the See of Calcutta during a vacancy of the See by the demise of the Bishop thereof for the time being, or otherwise, is entitled to the full pay fixed for the Office, *viz.*, Rs. 3,831-6-8.*

Metropolitan.

13. Leave under these Rules may be granted to the Metropolitan, by the Governor General in Council, and to the Bishops of Madras and Bombay, by the Governments of those Presidencies, on the recommendation of the Metropolitan.

SUPPLEMENT E.

CHAPLAINS.

PRELIMINARY.

Rules regulating the grant of Leave to Chaplains.

Section **1**.—In these Rules—

Active service.

(*a*) "Active Service" includes besides time spent on duty—

(1). Privilege Leave of Absence.
(2). Subsidiary Leave of Absence.
(3). Time passed in India out of employ, but not on Leave.

Extraordinary leave.

(*b*) "Extraordinary Leave" means Leave of Absence granted otherwise than under these Rules.

Continuous service.

(*c*) "Continuous Service" and "Continuous Active Service" mean the Service and Active Service of a Chaplain since his last return from Furlough or Extraordinary Leave lasting more than three months; or, if he have not had such leave, since the beginning of his Active Service.

* By Act 53, Geo. 3, Cap. 155, Section 49, the pay of the Bishop of Calcutta is fixed at £5,000, to be paid at an exchange of two shillings for the Bengal current rupee. One hundred Bengal current rupees=$\frac{100}{116}$ sicca rupees =sicca rupees 86·2068 =rupees 91·9540. Thus, the pay of the Bishop of Calcutta is rupees 3,831-6-8 a month. (*Resolution by the Government of India, Financial Department, No. 490, dated 31st May 1876, paragraph 3*)

Supplement E.—Chaplains.

1. Except on Medical Certificate, or on very Urgent Private Affairs, Furlough or Special Leave may not be granted to Church of England Chaplains employed in the Diocese of Calcutta, if fifteen per cent. of the whole number of such Chaplains are already absent on Furlough or Special Leave. The Bishop of Calcutta will report to the Government of India when the limit is reached.

(*b*).—Furlough taken under this Section may, on Medical Certificate, be extended to not more than three years.

Limited to three years.

(*c*).—The Furlough of a Chaplain is strictly limited to a period of three years at one time, and cannot be extended even without Allowances. But the Secretary of State for India reserves to himself the power of allowing a Chaplain to remain in Europe beyond three years, should special and exceptional circumstances require it.

Medical certificate.

Section 6 (*a*).—To a Chaplain who has not rendered three years' Continuous Service, Furlough for not more than one year may be granted on Medical Certificate.

(*b*).—Furlough granted under this Section for less than one year may, on Medical Certificate, be extended to not more than one year.

Allowances.

Section 7.—A Chaplain on Furlough is entitled to Allowances as follows:—

	On Ordinary Furlough.	On other Furlough.
	£.	£.
Archdeacon, and Senior Chaplain of the Church of Scotland	600 a year.	480 a year.
Senior Chaplain	500 „	384 „
Junior Chaplain	350 „	300 „

Explanation.—Ordinary Furlough includes—

(1) the first two years of each separate period of Furlough under Section 5;

(2) so much of Furlough under Section 6 as may be due, provided that the Chaplain have rendered six months' Continuous Active Service.

1. A Chaplain on Furlough does not forfeit his past Leave Allowance by resigning the service without returning to India.

SPECIAL LEAVE OF ABSENCE.

Amount admissible.

Section 8.—Special Leave on Urgent Private Affairs may be granted, at any time, for not more than six months:

Supplement E.

Page 241.

Insert—

Beginning and ending of Furlough or Special Leave

Section 8A.—The beginning and ending of a Chaplain's Furlough and Special Leave are regulated by the Rules of the Code. (90)

For Section 10, and Rules under it, substitute—

Subsidiary Leave.

Section 10.—A Chaplain is entitled to Subsidiary Leave under the Rules in the Code. (90)

Provided that a Chaplain, who has had Special Leave, must render six years' Active Service before he can again have such Leave.

Allowances.

Section **9** (*a*).—For the first period of a Chaplain's Special Leave, he is entitled to the leave allowance admissible during Ordinary Furlough.

(*b*).—In subsequent periods he is entitled to no Leave Allowance.

SUBSIDIARY LEAVE OF ABSENCE.

Amount admissible.

Section **10** (*a*).—Furlough and Special Leave, out of India, begin on, and include, the date of the departure of the vessel on which the Chaplain sails; and to a Chaplain taking such Leave, Subsidiary Leave, not ordinarily exceeding thirty days, may be granted from the day on which he gives up duty to the day before that on which his Furlough or Special Leave begins.

(*b*).—Furlough and Special Leave, out of India, end on, and include, the day before the arrival of the vessel in which the Chaplain is; and to a Chaplain returning from such Leave, Subsidiary Leave, not ordinarily exceeding thirty days, may be granted from the day on which the vessel arrives to the day before that on which he assumes the duty to which he may be appointed.

1. Subsidiary Leave may be granted to a Chaplain retiring from the Service, to the same extent and with the same allowances as if he were going on Furlough.

2. Subsidiary Leave for more than thirty days may be granted in cases of necessity; but every such grant and the reason for it have to be reported to the Government of India.

3. A Chaplain may leave India, or return to India, by any port he likes; but the dates by which the beginning and ending of Furlough and Special Leave are determined, are the dates of the vessel's departure from the port where he first meets it, and arrival at the port where he quits it. For instance, a Chaplain sailing from Calcutta in a vessel which touches at Madras, counts by the date of departure from Calcutta, and not from Madras.

4. The date of the departure of a vessel from any port where a Pilot is taken is held to be the date on which the Pilot leaves it at sea; and the date of the arrival of a vessel in such a port is the date on which the Pilot is taken on board.

Explanation.—A Chaplain may take Furlough or Special Leave partly in, and partly out of, India. But Subsidiary Leave is not admissible under Clause (*a*) of this Section, unless the Furlough or Special Leave begins as Furlough or Special Leave out of India; nor under Clause (*b*), unless it ends as Furlough or Special Leave out of India.

Allowances.

Section **11**.—A Chaplain on Subsidiary Leave is entitled to the same Allowances as during the Leave to which it is Subsidiary.

1. A Chaplain may draw Allowances as if he were on Privilege Leave, for any part of his Subsidiary Leave ~~under Clause (*a*) of Section 10~~, for which, if he were not going on Furlough or on Special Leave, Privilege Leave would be admissible to him.

PRIVILEGE LEAVE OF ABSENCE.

Amount admissible.

Section **12**.—Privilege Leave may be granted as follows:—

After five months' uninterrupted duty,—for not more than one month.

After ten months' uninterrupted duty,—for not more than two months.

After fifteen months' uninterrupted duty,—for not more than three months.

1. In applying for Privilege Leave, a Chaplain must record a declaration that he has no intention of retiring or of taking Furlough, Special Leave, Subsidiary Leave, or Leave on Medical Certificate, for three months after his return to duty. Though not absolutely debarred by this declaration from applying to retire or to take such leave within three months, he should, if he does so, explain his change of mind.

2. A Chaplain may not take Privilege Leave in instalments.

Allowances.

Section **13**.—A Chaplain on Privilege Leave is entitled to the same Pay and House-rent as if he were on duty.

1. A Chaplain on Privilege Leave may draw any Local Allowance attaching to his Office, such as Conveyance Allowance or Jail Allowance, provided that it is not drawn by his *locum tenens*.

2. The Chaplain's substitute may draw the House-rent, although it is also drawn by the Absentee.

Section 11, Rule 1.

Page 242.

For "under Clause (*a*) of Section 10" *substitute* "preparatory to retiring from the service or going on Furlough or Special Leave." (90)

After "not" *add* "retiring from the service or." (90)

C. L. C.

SUPPLEMENT E

Section 13.

Rule 1.

Page 242.

Substitute the following for this Rule:—

1. An Archdeacon, a Senior Chaplain of the Church of Scotland, or a Chaplain, on Privilege Leave, may draw any Local allowance attached to his office, such as his Special Allowance (*see Section 48 (d). Acting Allowance Code*), Conveyance Allowance, or Jail Allowance, provided that it is not drawn by his *locum tenens.*

1A. An officiating Archdeacon or Senior Chaplain of the Church of Scotland may not during privilege leave draw his special allowance (21 A. G., 24-1-81).

SUPPLEMENT E.

Section 14.

Page 243.

Cancel Rule 1. [38]

SUPPLEMENT E.

Section 15.

Page 243.

Strike out the second sentence of Rule 1.[37]

Supplement E.—Chaplains.

MISCELLANEOUS.

Section **14**.—The Rules for—

(1) ~~Extension and Commutation of Leave;~~ and Extension, &c.

(2) Payment of Leave Allowances;

are those contained in Sections 47 and 48 of the Code. But to a Chaplain going on Furlough to England, an advance of the first quarter's allowances may be made, which advance is not recoverable in the event of his death.

1. A Chaplain on Leave in any of the British Colonies may draw his Leave Allowances there through the Control Pay-Master in the same manner as a Military Officer. But the requisite authority to pay must first be given by the Government of India.

Section **15**—Applications for Leave from Chaplains of the Church of England on the Bengal Ecclesiastical Establishment, and from such Chaplains on other establishments serving in the Bengal Presidency, are to be dealt with under the following Rules; and priority of claim is determined in accordance with Section 52 of the Code.

I.—Subject to the exigencies of the Public Service, Local Governments and Chief Commissioners, in the Bengal Presidency, are empowered, with the concurrence of the Bishop of the Diocese, to grant any Furlough or Special Leave authorised by the Rules to Chaplains serving within their respective jurisdictions. ~~But the Government of India alone grants Leave to Chaplains of the Church of Scotland serving in the Bengal Presidency.~~

II.—If a Chaplain applying for Furlough or Special Leave belong to the Madras or Bombay Ecclesiastical Establishment, the Local Government or Administration under which he is serving will, if the Furlough or Leave be granted, inform the Government of Madras or Bombay as the case may be.

III.—The Bishop of the Diocese is empowered to grant Privilege Leave to Chaplains under Section 12, subject to the public exigencies, of which the Bishop shall be the judge. But the grant, cancelment, or extension of such Leave should be reported to the Local Government or Administration concerned.

IV.—All Applications for Leave or Furlough should be accompanied by a certificate from the local Accountant General, shewing that the applicant is entitled to the leave asked for, and should, as a general rule, be forwarded, in the first instance, through the proper channel, to the Bishop of the Diocese, who will transmit applications for Furlough or Special Leave, with His Lordship's remarks,

to the Local Government or Administration concerned, and will himself dispose of applications for Privilege Leave. But in cases of urgency, Leave on Medical Certificate may be granted by the Local Government or Chief Commissioner in anticipation of the concurrence of the Bishop, who should, however, be informed without delay.

V.—Except under orders of the Secretary of State, the term of Furlough or Special Leave cannot be altered without the permission of the Government or Administration by which it may have been granted.

VI.—Every Chaplain who obtains Leave or Furlough shall supply himself with a Last Pay Certificate, and with a statement shewing the allowances which he is entitled to draw while absent. It shall be the duty of the local Accountant General to furnish these documents, and no Leave Allowances will be payable without their production.

VII.—A Quarterly Statement of Chaplains absent on Furlough or Special Leave, with the dates of the grant and expiry of such Furlough or Leave brought up to the 31st March, 30th June, 30th September, and 31st December of each year, shall be punctually furnished by Local Governments and Administrations to the Government of India in the Home Department.

VIII.—From these Quarterly Returns, a Register will be compiled and kept at the Office of the Secretary to the Government of India in the Home Department, of all grants to Chaplains on Leave or Furlough, of all extensions of Leave or Furlough, and of all returns to duty from absence. ~~This Register will be published quarterly in the *Gazette of India*~~.

IX.—A Chaplain shall report his return to duty to the Bishop, and to the Local Government and Administration by which his Leave or Furlough may have been granted.

X.—If any Local Government or Administration shall see fit to refuse a Furlough to any Chaplain on the ground of the exigencies of the Public Service, it shall report such refusal for the confirmation of the Government of India.

The subjoined Rules regulate the granting of Leave to Chaplains of the Church of Scotland, and the Department from which their pay should be drawn.

1. It is only on rare occasions that a Chaplain is specially attached to a particular Regiment; although, usually, he is moved with the Regiment, and is appointed Chaplain of the Station where the Regiment is quartered. When so appointed, he draws pay from the Civil Department. On the other hand, when attached to a Regiment, his pay becomes a charge upon the Military Department, and should be drawn thence.

II.—Leave of Absence, however, whether the Chaplain is attached to a Regiment or not, should be granted by the Local

SUPPLEMENT E.

Section 15, Rule VIII.

Page 244.

Strike out the last sentence of this Rule. (86)

Government, and notified in the Local Gazette. When the Chaplain is attached to a Regiment, the application for leave will be forwarded through the Commanding Officer. In the case of the Senior Chaplain in Bengal, the Leave should be granted by the Local Government and by the Government of India concurrently, and be notified in the Local Gazette and in the *Gazette of India*.

III.—A record of each Chaplain's services shall be kept in the Office of the Comptroller General for Chaplains in the Bengal Presidency, and in the Office of the Local Accountants General for those in Bombay and Madras. When a Chaplain is attached specially to a Regiment, and when he is relieved from that charge, the Account Officer concerned should be informed by the Military Department.

SUPPLEMENT F.

UNCOVENANTED OFFICERS GENERALLY.

[Such of the Rules of the Code as are not expressly restricted to Covenanted Civil Servants, or to Military Officers' subject to Civil Rules, or are not explanatory of points in which the provisions of the Code differ from those in this Supplement, apply also to Uncovenanted Officers generally.]

DEFINITIONS.

Section 1.—In these Rules, "Pay" means Substantive Monthly Pay; "Salary" means the Sum of Pay and Acting Allowance. Pay and salar

1. Personal Allowance is to be taken as part of an Officer's Substantive Pay.

"Average Salary" means the average salary for a month, calculated for so much of the three years immediately preceding the day on which the Officer gives up Office, as he has passed on Duty, or on Privilege Leave. But whenever an Officer whose appointment is not gazetted takes Leave for not more than one month, or whenever such an Officer's salary is less than three hundred rupees, his pay (not salary) when he gives up Office is to be taken in lieu of "Average Salary." Average salary.

"Half Average Salary" is always subject to a maximum of Rs. 500 a month if paid in India, and £150 a quarter if paid at the Home Treasury of the Government of India.

"One Quarter Average Salary" is always subject to a maximum of Rs. 400 a month if paid in India, and £120 a quarter if paid at the Home Treasury:

Provided always that the allowances of an Officer during Leave shall in no case exceed his actual salary when he takes Leave.

EXTENT OF APPLICATION.

Section **2**.—The following Rules apply to Officers who have Substantive Appointments* on permanent establishments under the Government, and who are not entitled to Leave under the Rules in this Code or its Supplements.

Section **3**.—These Rules apply fully only to those whose pay is not less than one hundred rupees. But Leave may be granted under them to an Officer, whether he be in Superior or Inferior Service,† whose pay is less than one hundred rupees, so far as it can be done without imposing any cost upon the State (*see Acting Allowance Code, Section* 29). The Absentee Allowance of the substantive incumbent must not exceed what remains from the pay of the appointment after provision is made for the efficient discharge of his duties during his absence. No Leave in excess of the Leave admissible under these Rules may be granted to such an Officer, with allowances, or counting as service for pension.

Exceptions.—(1). A Peon or a Guard in permanent employ, whose case is not provided for in *Exception* (2), while sick in hospital or receiving medical aid as an out-door patient of the hospital of the Station at which he serves, may, without reference to the allowance paid to his substitute, be allowed half-pay for a period not exceeding six months altogether, in any one term of three years, whether such leave be taken in one period or by instalments.

(2).—A Police Officer enrolled under any Act of the Legislature or belonging to the Trans-Indus or Port Blair Police Forces, whose pay does not exceed twenty rupees, or an Officer of

* But see Rule 2 under Section 9 of the Code.

† The Governor General in Council considers that Section 3 of Supplement F to the Civil Leave Code authorises the grant of Leave upon the condition therein stated, not only to a Superior Officer whose pay is less than a hundred rupees a month, but to an Officer whose service is treated as Inferior under Section 49 of the Civil Pension Code, upon the condition that the grant of the Leave shall not impose any cost upon the State.—(*Financial Resolution No. 2021, dated 26th April 1876.*)

SUPPLEMENT F.

Section 3.

Exception (1).

Page 246.

Prefix the following :—

"A ~~Postman~~ or Mail Coachman or"

and affix "The Director General of the Post Office may grant full pay for three months to a ~~Postman~~ or Mail Coachman under exceptional circumstances, as for example, if he is wounded by robbers or a wild animal."[36]

Supplement F.

Section 3, *Exception* (4).

Page 247.

After "Ordnance" *insert* "or Government Dockyard." [52]

the Inland Customs Department, whose pay does not exceed twenty rupees, may, while sick in hospital or while receiving medical aid as an out-door patient at the Station or Head-quarters of the District in which he serves, be allowed, at the discretion of the Authority granting the Leave, and in addition to any Leave admissible to him under the Rules in this Supplement, Leave of Absence from duty for six months altogether in any period of three years, whether such Leave be taken in one period or by instalments. For the first three months of such Leave, the Officer may receive full pay, and for the remaining three months, half-pay, without the restriction contained in this Section, *viz.*, that no extra cost shall be imposed upon the State: Provided always that this concession shall be confined strictly to cases in which illness shall be certified not to have been caused by irregular or intemperate habits.

[NOTE.—A Police Officer, who under Section 121 *(b1)* of the Civil Pension Code has elected to abide by Scale A in *Section* 120 of the said Code, cannot be admitted to the benefit of this Exception unless with the special permission of the Local Government.]

(3.) A Seaman disabled while in the discharge of duty, may be allowed pay at harbour rates for a period not exceeding three months, provided that the injuries from which he is disabled are certified to by a Government Medical Officer, and are not owing to the Seaman's own carelessness or inexperience, and that the vacancy caused by his absence is not filled up.

(4.) An Engineer of the Marine Department, or an Artificer attached to an Ordnance Establishment, or Syce in charge of a Government Stallion, or a Public Servant in a Commissariat Establishment, may during absence from work on account of injuries received in the course of his duty, be allowed full pay for one month, and thereafter, half-pay for three months. The word " Artificer" in this Exception includes a temporary or extra Artificer.

1. An Officer holding an appointment on a progressive pay, rising to a maximum of one hundred rupees, who is in the receipt of the maximum pay, is not, by reason of the mean pay of the appointment being less than one hundred rupees, to be treated as an Officer whose pay is less than one hundred rupees.

2. If it becomes necessary to bring an Officer from a distance to act for an Officer on Leave whose pay is less than one hundred rupees, the Travelling Allowances and Transit Pay admissible to the substitute may be borne by the State; but such a transfer should never be made if it can be avoided..

3. Saving as provided in the Exception to Rule 8 under this Section and in Rules 5 and 6 under Section 13, these Rules do not apply to Military Officers or Soldiers, or to the Military Branch of the Subordinate Medical Service.

4. A Police Officer who, under Section 121 (*b*1) of the Civil Pension Code, has elected to abide by Scale A in Section 120 of the

said Code, is subject to the Leave Rules which applied to him before the abolition of the Police Superannuation Fund.

5. An Officer appointed as Probationer for a certain period before formal appointment, is entitled to the same Leave as if he held a substantive appointment.

6. Service as an Apprentice (excepting an Engineer Apprentice in the Public Works Department), or, in the Bengal Presidency, as a Supernumerary Assistant Surgeon, does not qualify; but a Supernumerary Assistant Surgeon may be allowed leave for six months in all on Medical Certificate without loss of allowances. An Officer who has qualified for any leave under the Rules in this Supplement by service as Assistant Surgeon does not, on reversion to the position of Supernumerary Assistant Surgeon, forfeit his claim to the leave which he has earned: Provided always that, if such reversion is due to the Officer's misconduct or inefficiency, it shall be at the discretion of the Local Government to withhold the grant of the leave for which he qualified by service as Assistant Surgeon.

7. An Officer holding a temporary or officiating appointment only, is not entitled to Leave of any kind; but a limited amount of leave may be allowed to such an Officer under the conditions hereinafter stated. (*But see Rule 2 under Section 9 of the Code.*)

8. An Officer transferred to an Office to which these Rules apply is not entitled to Leave under them in respect to service rendered in an Office to which they do not apply.

Exception.—An Apothecary appointed to be an Assistant Surgeon under the 46th paragraph of the General Order of the Government of India in the Military Department, No. 550, dated the 5th June 1868, may count his service as a Warrant Officer towards Leave as an Assistant Surgeon, on the understanding that any Leave taken by him during his employment as an Officer of the Military Subordinate Medical Department in the Warrant grade, will be treated as if it had been taken under these Rules.

LEAVE ON MEDICAL CERTIFICATE.

Amount.

Section 4.—Leave on Medical Certificate may be granted for three years in all, but not for more than two years at one time; and no Officer can have Leave on Medical Certificate out of India more than twice.

Temporary footing.

1. An Officer who has a temporary or officiating appointment only may be allowed Leave under this Section for not more than three months, if the Local Government considers no Substitute to be necessary, or can provide for his duties without additional expense.

SUPPLEMENT F.

Section 3, *Rule* 8.

Page 248.

Insert the following as Exception (2) :—

(2).—A Military Hospital Assistant who, under Resolution in the Home Department, No. 16, dated 9th January 1878, is transferred to the Civil Branch of the Subordinate Medical Service, may count his Military service; provided that any leave taken during this service shall be counted as leave taken under this Supplement. (31)

Section 5.—An Officer on Leave under Section 4 is entitled to Half his Average Salary for the first fifteen months of each period of absence, but not for more than thirty months in all. For the rest of his leave under Section 4 he is entitled to a Quarter of his Average Salary. Allowances.

LEAVE ON PRIVATE AFFAIRS.

Section 6.—Leave on Private Affairs for six months may be granted to an Officer who has not had Furlough, after six years' service, and repeated after intervals of six years. Amount.

1. Leave on Private Affairs does not accumulate, and cannot be taken in instalments.

2. Leave on Medical Certificate counts as service for Leave on Private Affairs.

Section 7.—An Officer on Leave under Section 6 is entitled to Half his Average Salary. Allowances.

1. An Officer does not forfeit the allowance to which he is entitled under this Section by resigning the Service at the end of the Leave.

FURLOUGH.

Section 8.—Furlough may be granted, as follows, to an Officer who has not had Leave on Private Affairs :— Amount.

After ten years' service ;—one year or any less period ; and thereafter, at intervals of not less than eight years, one year or any less period,

or

After eighteen years' service ;—two years or any less period ; and thereafter, at intervals of not less than eight years, one year or any less period :

Provided that not more than two years in all may be granted.

1. Leave on Medical Certificate counts as service for Furlough.

2. Leave on Private Affairs under the Rules in force before the 8th June 1863 does not prevent the grant of Furlough under this Section.

Section 9.—An Officer on Furlough is entitled to Half his Average Salary. Allowances.

LEAVE WITHOUT ALLOWANCES.

Section 10.—Extraordinary Leave Without Allowances may, in case of necessity, be granted for such time Leave without allowances.

as may be necessary. Time spent on Leave undert his Section does not count as service for other Leave. There is no limit to the length or frequency of Leave under this Section, and it may be granted in continuation of Leave on Medical Certificate, and Leave on Private Affairs or Furlough, but not in continuation of Privilege Leave.

SUBSIDIARY LEAVE.

Amount.

Section **11**.—Subsidiary Leave for such time as may be sufficient may be added to leave on Medical Certificate, leave on Private Affairs, or Furlough, when taken out of India, as prescribed in Sections 34 and 35 of the Code. Fourteen days only are allowed to an officer at a Presidency town, who takes Leave on Medical Certificate, Leave on Private Affairs, or Furlough out of India, and embarks or debarks as the case may be at this town. Subsidiary Leave may also be granted to an Officer going on, or returning from, Leave on Medical Certificate to a Sanitarium in India.

1. See also Code, Section 37, and Rule 1 under it.

Allowances.

Section **12**.—An Officer on Subsidiary Leave prefixed to other Leave, is entitled to Half his Average Salary. An Officer on Subsidiary Leave following other Leave, is entitled to Half his Average Salary, or one Quarter of his Average Salary, according to the rate of allowance to which he may be entitled at the end of the Leave to which it is subsidiary.

1. But see Code, ~~Section 35, Rule 1, and~~ Section 40 (*d*), Rule 1.

PRIVILEGE LEAVE.

Amount.

Section **13**.—Privilege Leave may be granted in accordance with the Rules in Chapter VII of the Code: provided that no ~~Officer~~ whose salary is less than two hundred rupees a month can draw any allowances for time passed on Privilege Leave until he returns to duty.

1. ~~An Officer~~ taking Privilege Leave, whose salary is less than two hundred rupees a month, may, with the special sanction of the Head of his Office, receive an advance not exceeding two months' salary, and, also, not exceeding the allowances which would become due to him for the whole period of leave on the expiration thereof. Such advance must be liquidated from the first allowance which

SUPPLEMENT F.

Section 10.

Page 250.

Prefix to the last Sentence.

Subject to the provisions of Section 17. (136)

Supplement F.

Page 250.

Substitute for Section 11—

Subsidiary Leave.

Section 11.—An Officer going on or returning from Leave out of India on Medical Certificate, Leave on Private Affairs, or Furlough, or going on or returning from Leave on Medical Certificate to a Sanitarium, is entitled to Subsidiary Leave under the Rules in the Code. (90.)

Section 12, Rule 1.

Page 250.

Strike out "Section 35, Rule 1, and."

Add Rule 2 as follows :—

Subsidiary Leave preparatory to retirement.

2. Subsidiary Leave on half-pay for a period not exceeding fourteen days may be given to an Officer preparatory to his retirement from the Service, provided that the grant causes no additional expense on the State. (90)

the Officer receives: if he dies before earning the full amount of the advance, the unearned portion need not be recovered from his estate, but may be written off as Loss. Advance of Salary.

2. An Officer who has a temporary or officiating appointment only may be allowed Privilege Leave, without losing his lien on such appointment, if the Local Government considers no substitute to be necessary, or can provide for his duties without additional expense. ~~If an Officer is, without an interval, confirmed in his appointment,~~ his temporary or officiating service may be treated as duty qualifying for Privilege Leave within the meaning of Section 42 of the Code. Temporary footing.

3. A Ministerial Officer of a High Court is not allowed Privilege Leave, if he is allowed to be absent during the High Court vacation. High Court Officer.

4. A Native Surveyor in the Revenue Survey Department in Bengal, the North-Western Provinces, and the Punjab, a member of the Lower Subordinate Establishment of the Forest Survey Branch, or a Forest Subordinate in Kumaon and Garhwal, may be allowed Leave during the recess on half-pay (payable on return to duty). Privilege Leave may not be granted to an Officer who is entitled to this concession. Revenue Survey and Forest Departments.

5. Privilege Leave may be granted under these Rules to a Military Hospital Assistant in Civil Employ upon condition that no additional expense is thereby caused. Hospital assistant.

[NOTE.—A Hospital Assistant is not entitled to Privilege Leave in respect of duty done in the Military Department.]

6. Privilege Leave to Warrant Officers employed in the Public Works Department is granted in accordance with Article 9 of Section 2, Chapter V, of the Code of Regulations for the Public Works Department. Warrant officers.

7. An Officer or Seaman attached to a Pilot or Light Vessel at the Sandheads may, in addition to the Privilege Leave admissible under this Section, be allowed one month's Leave on shore, beginning on the date of his arrival at Calcutta, after four months' continuous duty at the Sandheads. Seaman.

8. A man transferred on or before the 3rd May 1861, from the Army or the Oudh Military Police, or any other Military body, to the Oudh Civil Police, is allowed to accumulate Privilege Leave on full pay to the extent of six months if his home is east of the river Indus, and seven months if his home is west of that river.

EXAMINATION LEAVE.

Section **14**.—An Officer permitted to present himself at any examination which must be passed before a person is eligible for a higher subordinate appointment, such as a Deputy-Magistracy, may, under the orders of For higher subordinate appointment.

the Local Government, be allowed Leave of Absence for the number of days which is actually necessary to enable him to attend at the Examination. During this Absence, which is expected to be short, no deduction will be made from the Officer's allowances, unless the Head of the Office finds such deduction necessary to enable him to make arrangements for carrying on the work. Such Leave should not be allowed more than twice for each standard of examination.

To study for surveying.

Section **15**.—The Master of a Government School in Bengal, in receipt of a salary not exceeding Rs. 200 a month while absent from his Office with the object of studying to qualify himself as a Teacher of Surveying, is considered to be absent on duty or on special deputation; provided that such period of absence shall not exceed three months.

GENERAL.

Extension and Commutation of leave.

Section **16**.—Leave on Private Affairs and Furlough cannot be taken in continuation of any Leave except Subsidiary Leave; but any Leave granted under these Rules may be retrospectively changed for any other kind or amount of Leave which might at first have been granted;* and, if an Officer absent on Privilege Leave, or on Leave on Private Affairs, or on Furlough, take extension of leave on Medical Certificate, the whole of the absence will be treated as Leave on Medical Certificate.

1. Extraordinary Leave without allowances cannot be converted retrospectively into Leave on Medical Ccertificate; but Leave on Medical Certificate may be given in continuation of Extraordinary Leave without allowances.

Lien on appointment.

Section **17**.—No Officer's appointment becomes vacant, simply by reason of his taking Leave under these Rules. But Absence without Leave, or after the end of Leave (excepting Privilege Leave, in which case a week's grace is allowed) involves loss of appointment; and after five years' continuous absence, whether with or without Leave, an Officer is considered to be out of Government employ.

* See Rule 6 under Section 52, Civil Pension Code.

Supplement F.—Uncovenanted Officers generally.

1. The Secretary of State, in granting to Officers Extension of Leave, sometimes declines to guarantee retention of appointment, if there is no time to communicate with the Local Government in India.

2. An Officer who goes on Leave out of India has no claim to return to the particular local appointment from which he took Leave.

APPLICATIONS FOR LEAVE.

Applications for leave.

Section **18** (*a*).—Leave may be granted to an Officer by the Authority whose duty it would be to fill up his appointment if vacant. The Local Government may empower Heads of Departments to grant Privilege Leave to Officers under their orders, who are appointed by Government; but if the Officer to whom Leave is granted, be a Gazetted Officer, the grant of Leave must be reported to the Local Government.

Monthly return.

(*b*.)—A monthly return of Non-gazetted Officers absent on Leave should be prepared in the Form given in the Appendix to this Supplement, and should accompany each establishment pay-bill:—

[NOTE.—An Accountant General is not required to submit any report on the title to Leave of an Applicant who is not a Gazetted Officer.]

Medical certificate.

1. (*a*)—Applications for Leave, or Extension or Commutation of Leave, on Medical Certificate, must, in the case of a Superior Officer, be accompanied by a statement from the applicant's medical attendant, distinctly stating from personal observation the nature of the illness, its symptoms, causes, and duration.

(*b*)—A Certificate must also, in the case of a Superior Officer, be submitted from the chief Medical Officer of the Station or District, or, if the Officer is at the Presidency, from a Presidency Surgeon, to the effect that, after careful personal investigation, he considers a certain period of absence absolutely requisite for the restoration of health.

(*c*)—If the Leave be for more than six months, the papers must, in the case of a Superior Officer, be submitted for countersignature by the Deputy Surgeon-General; and if the Leave is to be taken out of India, by the Surgeon-General also, unless danger would be incurred by the delay.

It is not necessary that the Applicant for Leave should appear in person before the Deputy Surgeon-General, unless that Officer call upon him so to appear. The Deputy Surgeon-General should only call upon an Applicant from a distant Station to appear for very special reasons.

(*d*)—An Officer employed in British Burma is not required to appear in person before the Surgeon-General.

(*e*)—If the Applicant be already on Leave out of India, the Certificate under Clause (*a*) must state the period during which the Surgeon or Physician has attended the Officer, and it must be countersigned, after personal examination, by the Medical Board of the India Office, or by the principal Medical Authority of the Colony or Country where the Absentee may be.

(*f*)—The Forms of Certificate prescribed in the Code, Section 51, Rules 7 to 15, may be used as far as they are applicable.

SUPPLEMENT F.

Appendix.

Name of Absentee.	Pay of absentee (rate per mensem)			Leave granted				Leave allowance.		Name of every person acting by reason of the absence	Actual substantive pay of Acting Officer	Acting Allowance, rate per mensem.	Total of columns 9 & 13 for each absence	Remarks.
	Maximum.	Minimum.	Actual.	Kind *	Amount.	Date of beginning of Leave	Date of return (to be filled in when he returns)	Rate per mensem	Amount for days of actual absence during current month					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	
														* "Kind" The entry in column 5 should be one of the following — Medical .. Section 4 } Carry half pay† up to certain Private affairs . „ 6 } limits of time Furlough ... „ 8 } Privilege „ 13 Full salary † Without allowances „ 10 No pay Subsidiary .. „ 11 See Code. Examination .. „ 14 See Code. † Restricted, however, to amount available, if the officer's pay is less than Rs 100; that is, column 14 must not exceed column 4.

Certified that all leaves granted to any person in Superior Service on this establishment, and the total absence on such leave, or without leave during the month, and temporary appointments and promotions consequent on such absence, are detailed in the foregoing statement; that no leave has been granted until, by reference to the Applicant's Service book and to Supplement F of the Civil Leave Code, I had satisfied myself that it was admissible, ~~and further that~~ that all grants of leave, and departures on, and returns from, leave, and all appointments and promotions, temporary or permanent, have been recorded in the Service-books of the persons concerned under my initials

Dated *Head of Office.*

[Notes (1) —The duty of signing this certificate may be delegated by the head of a Department or a Secretary to Government to the Chief Assistant or Registrar of his office

(2).—When no member of an establishment in Superior Service has been absent on leave or deputation during the month, the following declaration, in lieu of the Leave statement, should be appended to the bill —

"Certified that no person in Superior Service on the establishment has been absent, either with or without leave (except on casual leave) during the month of , and further that all appointments and promotions, temporary or permanent, have been recorded in the Service-books of the persons concerned under my initials."

Head of Office.

SUPPLEMENT G.

PORT BLAIR POLICE.

Privilege Leave.

I.—Privilege Leave may be granted to the men as under:—

2 months after 30 months' consecutive service.
3 „ „ 36 „ „ „

Such Leave cannot be claimed as a right, and will only be granted when it can be given without inconvenience to the Public Service. During Privilege Leave full pay is admissible.

Sick leave.

II.—Sick Leave on full pay is granted for fifteen days, after which the men will receive Subsistence as under:—

Constables ...	...	Rs. 6 a month.
Sergeants ...	...	„ 10 „
Chief Constables	...	„ 15 „
Inspectors ...	...	Two-thirds of salary.

Furlough.

III.—Furlough to unmarried men, or men whose families remain at their homes in India, may be given, in turn, after five years' Continuous Service in the Settlement.

Furlough may also be given, in special cases, at the discretion of the Superintendent, to married men having their families at the Settlement, after a continuous service of not less than five years.

IV.—Such Furlough carries with it half pay, and may be for periods of from four to [redacted]nths according to the distance of the [redacted]ant's home from Calcutta.

V.—Leave-men proceeding to India should be employed, ordinarily, on the voyage in guarding transferred convicts, and when not required for the purpose, they may be granted deck passages at the expense of Government.

VI.—From the port of debarkation they will proceed to their homes at their own expense, and

on the expiration of their Furlough they will report themselves to the Commissioner of Police, Calcutta, with a view to their employment as convict guards on the return voyage. If not required for this purpose, they may be granted a deck passage at the public expense.

VII.—The total number of men on Leave at one time, from all causes other than Privilege Leave, shall not exceed ten per cent. of the Force.

VIII.—Absence without Leave is punishable by dismissal or forfeiture of pay.

SUPPLEMENT H.

BENGAL PILOT SERVICE.

Section 1.—For the purposes of these Rules, the pay of the several Grades of the Service shall be taken to be as follows :—

	Rs.
Branch Pilot	1,000 a month.
Master Pilot	700 ,,
Mate Pilot	450 ,,

Section 2.—Furlough may be taken to the extent of four years during the entire period of service, in the following instalments, *viz.*, after ten years' service, two years, and after every subsequent eight years, one year, on an allowance of half the average pay for the last three years.

Section 3.—Leave on Medical Certificate may be taken to the extent of three years during the whole period of service, but not for more than two years at a time, and not more than twice out of India. Such Leave cannot be taken for more than one year except after three years' Continuous Service immediately preceding. Leave on Medical Certificate cannot be counted as service for Furlough, and no Leave on Medical Certificate can be taken while any Furlough is due. An Officer on Leave under this Section is entitled to half his average salary for the first fifteen months of each period of

absence, but not for more than thirty months in all. For the rest of his Leave under this Section he is entitled to a quarter of his average salary. The minimum allowance during Leave on Medical Certificate to the Officer to whom any allowance is due shall be Rs. 100 a month.

Section **4**—(*a.*)—Special Leave on Urgent Private Affairs may be granted at any time for not more than six months, provided that an Officer who has had Special Leave must render six years' Active Service before he can again have such Leave.

(*b.*) For the first six months for which an Officer is on Special Leave, whether the six months be included in the same Leave or not, he is entitled to Leave Allowance of half his average pay for the last three years.

(*c.*) Thereafter he is entitled to no Leave Allowance.

Section **5**.—Privilege Leave may be taken either—

(*a.*) As provided for Officers in Chapter VII of the Civil Leave Code; or

(*b.*) For a period of two months in every twelve, on half pay (which cannot be accumulated) on a Medical Certificate showing that the applicant requires, through sickness, more leave than he could take under the ordinary Privilege Leave Rules in the Code. When such Leave is taken in extension of ordinary Privilege Leave, the period of ordinary Privilege Leave first taken under Clause (*a*) must be commuted to double the period on half pay under Clause (*b*). Leave taken under this Clause shall be reckoned as Active Service: Provided that if Leave taken under this Clause be extended under Medical Certificate the whole of the leave shall be treated as leave on medical certificate under Section 3.

Section **6**.—A Pilot who was in the service of the Government on the 10th January 1879 was allowed the option of remaining subject to the Rules which regulated his Leave and Allowances before that date, provided that such option was declared before the 10th July 1879.

[NOTE.—A Pilot subject to the Rules in force before the 10th January 1879 is, if promoted to a higher rank while on Leave in England, entitled to the furlough pay of such higher rank from the date of promotion.]

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Insert the following as—

APPENDIX TO SUPPLEMENT H.

RULES FOR REGULATING LEAVE OF ABSENCE TO MEMBERS OF THE PILOT SERVICE, WHETHER ON ACCOUNT OF PRIVATE AFFAIRS, FURLOUGH OR ON MEDICAL CERTIFICATE, IN FORCE BEFORE THE 10TH JANUARY 1879.

Rules for Leave on Private Affairs.

1*st* —The Master Attendant may grant, to any Pilot upon application and sufficient cause shewn, leave to absent himself from his duties for a period less than one month, without quitting the presidency, and for such absence, there shall be no deduction from the pay and allowance of the party availing himself of the indulgence

2*nd* —Any Pilot who shall, consecutively, absent himself from the duties of the Service for a period exceeding one month, except upon leave granted under medical certificate, as provided below, shall suffer a deduction from his allowance of one third

3*rd* —Any Branch Pilot, desiring leave of absence on account of private affairs for more than one month, or desiring to quit the presidency otherwise than in the way of duty, shall submit an application for the same to the Master Attendant, and shall make known to him the occasion which induces him to apply for leave The Master Attendant shall be competent to grant leave on account of private affairs for a period not exceeding three months, and the party availing himself thereof shall be subject to the deduction above provided.

4*th*.—Any Pilot who shall be absent for a longer period than three months without the special sanction of Government, shall lose all pay and allowances for the period of absence, and, further, shall suffer deduction of the time of such absence in computing the period of his general service

5*th*.—Pilots unable to discharge the duties of their profession on account of ill health shall be bound to furnish a medical certificate to that effect, under pain of being considered absent without leave.

Leave on Furlough or on Medical Certificate.

1*st* —The following rules were established for members of the Pilot Service under the sanction of the Hon'ble the Court of Directors

2*nd* —When the public service does not require the presence of the whole establishment, a Pilot, after fifteen years' actual service, shall be allowed a furlough not exceeding three years, receiving, during such period, the same allowance as if absent in Europe on medical certificate, but he is not to receive any passage money.

3*rd* —Pilots whose state of health may require a voyage to sea, or who may, on that account, desire to leave the presidency, shall submit application for the same to the Master Attendant, forwarding, with the application, a certificate from the Marine Surgeon. The Master Attendant may grant leave for any period not exceeding three months, and the party availing himself of it, may draw, while absent on such leave, his entire pay and allowances, without deduction. If the leave solicited exceed the period of three months, the medical certificate must be countersigned by a member of the Standing Medical Committee, and the sanction of Government will be required to enable the Pilot to proceed to the Cape or elsewhere under the following rules

4*th* —Any Pilot compelled, by sickness duly certified, to proceed to the Cape, or elsewhere beyond sea, to the east of the Cape, shall be entitled to draw, for six months from the date of his leaving the presidency, the entire pay and allowances of his grade in the Pilot Service. After the first six months, no Pilot will receive more than seven-eighths of the allowances of his rank

5*th* —A Branch Pilot authorised to proceed to England for the benefit of his health will receive Rs 1,435 5 passage-money and draw an allowance of Rs. 200 a month from the date of the vessel in which he embarks leaving the Pilot for sea.

6*th*.—Rs 500 passage money will be granted as an advance to a Branch Pilot proceeding, under medical certificate, to the Cape of Good Hope or elsewhere than Europe, when he may be in actual need of such assistance, under the condition of repayment by instalments, to be settled, in each instance, by the Master Attendant, and submitted for the sanction of Government along with the application

7*th*.—Pilots absent at the Cape or elsewhere, under the rules for such absence above stated will be required to return to India at the end of six months from the date of their leaving Calcutta, unless they forward to the Master Attendant a renewed certificate from the Colonial Surgeon or other principal medical officer of the place where they may be residing, stating that a prolonged residence is necessary for complete recovery.

8*th* —A Pilot absent under the above rules, may, provided he forwards renewed medical certificates every six months, as required in the preceding rules, continue absent from India for a total period not exceeding two years, drawing, during absence, the allowances stated, either through his agent in Calcutta, or by a bill signed in the presence of a Magistrate at the

place where he may be residing and certified to be so signed on the date specified. The bills may be drawn in duplicate, and will be payable to the order of the Pilot, provided, however, that no Pilot shall be allowed to benefit by this provision, unless he shall give security to such amount as may be sufficient to cover any refunds to which he may become liable in case of proceeding to Europe, whether on resignation of the service or otherwise, without returning to Calcutta, or of over-receipt by agents.

9th.—Any Pilot who shall be absent beyond sea for a period exceeding two years, shall, from the date of the expiration of the two years, be considered as suspended from the Service. It will remain to be decided, upon his return at any subsequent date, whether he shall be restored or not, accordingly as he shall be able to satisfy the Master Attendant and Government that he used all possible exertion to return within the time fixed, but failed to do so from causes beyond his control. (152 G.)

DEPARTMENT OF FINANCE;
The 18th August 1880.

R. B. CHAPMAN,
Secy. to the Govt. of India.

No. 152.

C. L. C.

SUPPLEMENT II.

Section 6.

Page 258.

Substitute the following for this Section :—

Section 6.—Branch Pilots R. S. Evans, O. Lash, J. P. B. Le-Patourel, and C. G. Smyth, who were in the service of Government on the 10th January 1879, are subject to the Rules* which regulated the leave and allowances of pilots before that date. (152 G.)

* See Appendix.

THE ACTING ALLOWANCE CODE.

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FORT WILLIAM.

FINANCIAL DEPARTMENT.

The 25th April 1879.

FROM the date of the publication of this the fourth authorised edition of THE ACTING ALLOWANCE CODE, the third edition, and all notifications and orders thereunder, become obsolete.

This fourth edition only should hereafter be quoted.

By order of the Governor General in Council,

R. B. CHAPMAN,

Secretary to the Government of India.

THE ACTING ALLOWANCE CODE.

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A. A. C.

Section 2 (a).

Page 265.

For "except" *substitute* "including"

For "who" *to* "months" *substitute* "excepting in the case of officers appointed directly by the Government of India".

After "Post Office" *add* ", the Surveyor-General of India, the Commissioner of Inland Customs, the Inspector-General of Ordnance, Bengal, the Commissary General, Bengal,"

After "Works" *add* ", the Director-General of Railways,"

THE ACTING ALLOWANCE CODE.

PRELIMINARY.

Section 1.—No Standing Order not contained in this Code should be quoted or trusted in deciding, or submitting for orders any question affecting Acting Allowances. If any Officer thinks that any order not embodied in this Code ought to be revived, he should refer the question, through the proper channel, to the Government of India. Without the special authority of the Government of India, no such Order has any validity.

CHAPTER I.

DEFINITIONS AND EXPLANATIONS.

Section 2.—In this Code, unless there be something repugnant in the subject or context,—

Local Government.

(*a*). Elsewhere than in Section 22, "Local Government" includes a Department of the Government of India, a Chief Commissioner (~~except~~ the Chief Commissioner of the Andaman and Nicobar Islands, ~~who has only power to fill vacancies for periods not exceeding three months~~), the Resident at Hyderabad, the Agents to the Governor General in Rajputana and Central India; and, as regards the Civil Departmental Officers under their orders, the Director General of the Post Office (excepting in the case of Officers apppointed directly by the Government of India), the Director General of Telegraphs, the Director-in-Chief, Indo-European Telegraphs, the Inspector General of Military Works, and the Directors of State Railways.

Class and Grade.

(*b*). Appointments are said to be in the same "Class" when they are in the same Department, and bear the same designation, or have been declared by the Government of India to be in the same Class. Appointments in the same Class are sometimes divided into "Grades" according to pay.

[NOTE.—Appointments do not belong to the same Class or Grade unless they have been so constituted or recognised by proper authority. There are no

Definitions and Explanations.

Classes or Grades of Ministerial Officers; a Ministerial Officer, therefore, may be appointed to act for another Ministerial Officer in the same Office whose pay is higher than his own, it being however borne in mind that Chapter IX applies to Ministerial Officers on progressive pay, and that, except as provided in that Chapter, a Ministerial Officer appointed to act for another whose pay is progressive, cannot draw more than the minimum pay of the Office in which he acts. If the pay of two or more Officers progresses from the same minimum to the same maximum, one of them whose pay happens to be, at the moment, lower, cannot act for another of them whose pay is, at the moment, higher.]

Absentee.

(*c*). "Absentee" means an Officer absent, whether on leave or on duty, from an appointment on which he has a lien.

(*d*). Except in Chapter IX, the words "the appointment" mean "the appointment in which an Officer is officiating for an absentee."

Covenanted Civil Service and Covenanted Civil Servant.

(*e*). "Covenanted Civil Service" means the Bengal, Madras, and Bombay Covenanted Civil Services of the Crown. A "Covenanted Civil Servant" is a Member of the Covenanted Civil Service.

Local Allowance.

(*f*). A "Local Allowance" is an allowance, not specially declared to be "Pay" or "Salary," given to an Officer in addition to pay or salary either for duties which do not properly belong to his Office, or in consideration of exceptional local circumstances, such as the unhealthiness or expensiveness of the locality or duty, or the specially arduous nature of the work. A Local Allowance is given in full to the Officer actually present on duty, and is not taken into account in calculating Leave Allowances or Pension. (*But see Section 16, and Rule 10 under Section 46, Civil Leave Code*).

Military Officer subject to Civil Rules.

(*g*). "A Military Officer subject to Civil Rules," means a Military Commissioned Officer in permanent Civil employ (not being a Warrant Officer) who is not subject to the Military Furlough Rules of 1854 or 1868.

Military Officer subject to Military Rules.

(*h*). "A Military Officer subject to Military Rules" means a Military Commissioned Officer in permanent Civil employ (not being a Warrant Officer) who is subject to the Military Furlough Rules of 1854 or 1868, or a Warrant Officer.

Pay.

(*i*). "Pay" means monthly Substantive Pay. "Pay" includes also the Subsistence allowance of a Covenanted Civil Servant, or a Military Officer subject to Civil Rules who has an officiating, but not a substantive, appointment. Salary is the sum of Pay and Acting allowance, or Charge allowance under Section 32 of this Code.

Progressive Pay.

(*j*).—"Progressive Pay" is pay which, subject to the good behaviour of an Officer, rises, by periodical increments, from a minimum to a maximum.

Consolidated Pay.

(*k*).—"Consolidated Pay" includes Military Pay and Allowances or Staff Corps Pay, which cannot be separately drawn.

Staff Salary.

(*l*).—"Staff Salary" is an allowance to a Military Officer in addition to the Military Pay and Allowance or the Staff Corps Pay of his rank.

A. A. C.

Section 2 (i).

Page 266.

Insert the following Rule under this Section:—

"1. If an officer whose whole time is retained for the public service is substantively appointed to hold conjointly with any other Government office a Minor Professorship under the Medical Warrant of April 1867, or a Professorship or Lecturership in any Government institution, the allowances received by him in such appointment are part of his salary. (123)

A. A. C.

Section 6.

Page 267.

Add the following to this Section :—

The status of an Officer appointed substantively for a time only under this Section is that of an Acting Officer. [22]

CHAPTER II.

GENERAL RULES.

Pay and Salary.

Section **3**.—The Pay of an *Officer* is as follows:—

(1.) In the case of an Officer with a substantive appointment:—the amount which he would receive, monthly, under any of the following designations, in his substantive appointment:

Substantive Pay,
Consolidated Pay,
Military Pay and Allowances and Staff Salary,
Staff Corps Pay and Staff Salary.

(2.) In the case of an Officer without a substantive appointment:—his monthly Subsistence Allowance (if a Covenanted Civil Servant or a Military Officer subject to Civil Rules); and his Military Pay and Allowances, or Staff Corps Pay (if a Military Officer subject to Military Rules).

Section **4**.—The Pay of an *appointment* is the pay which any particular Officer would receive monthly if he held the appointment substantively.

Examples. (1).—The allowances of an Officer acting in an appointment the pay of which is subject to increase upon the passing of an examination or upon the completion of a certain period of service,* are calculated upon the pay which he would from time to time receive, if he held the appointment substantively.

(2).—The allowances of an Officer acting in an appointment the pay of which has been reduced with effect from the next succession thereto, are calculated upon the reduced pay.

Maximum and minimum.

Section **5** (*a*).—The maximum salary of an Officiating Officer is the pay of the appointment.

(*b*).—The minimum salary of an Officiating Officer is half the pay of the appointment.

Seconding.

Section **6**.— If an Absentee draws no part of the pay of his appointment, another Officer may be appointed thereto substantively for a time only, on full pay,

* This does not refer to cases of Progressive Pay, which are governed by the specific Rules in Chapter IX.

without disturbing the lien of the Absentee. The full pay of an Officer thus appointed substantively, for a time only, may, in like manner and upon the same condition, be given to a substitute appointed substantively, for a time only.

1. An Officer deputed to act in another Office is not an Absentee within the meaning of this Section, unless the full pay of that office is available, and he is appointed substantively to it for a time only.

2. An Absentee who receives absentee allowances, draws, within the meaning of this Section, "part of the pay of his appointment;" and this Section is not to be construed as conflicting with Rule 1, under Section 25 (*b*) of the Civil Leave Code.

3. A substantive appointment may be made under this Section for a time only in the place of a Military Officer subject to Military Rules whose appointment would be forfeited under Military Furlough Rules but for the operation of Rule II of the Rules published with the General Order of the Government of India in the Military Department, No. 171, dated the 25th February 1874.

4. Full pay is not to be drawn under this Section as a matter of course, or unless the Officer claiming it is, by proper authority, formally appointed to the Office substantively for a time.

Pay drawn without joining.

Section **7**.—If the substantive appointment of an Officer is changed while he is officiating in an appointment; or if, while so officiating, an Officer is appointed, for the first time, to some substantive office; then, provided that his tenure of his officiating appointment is not interrupted by his new substantive appointment, he may draw the pay thereof without joining it, from the date on which he is appointed thereto, or from any later date on which the substantive office becomes vacant.

Personal Allowance.

Section **8**.—Unless in any case it is especially ordered otherwise, a Personal Allowance should be reduced by any amount by which the recipient's pay or salary may be increased and should cease as soon as his pay or salary is increased by an amount equal to his Personal Allowance.

Section **9**.—If an Officer, whose substantive office is paid from a Local Fund which satisfies the conditions stated in Section 39 of the Civil Pension Code, is appointed to act in an office paid from the General Revenues, his salary is calculated as it would

A. A. C.

Section 6.

Page 268.

Insert the following Note under Rule 2 :—

[NOTE.—The Subsistence Allowance of a Covenanted Civil Servant or a Military Officer subject to Civil Rules, and the English Furlough Pay of a Military Officer subject to Military Rules, are not, for the purposes of this Rule, treated as a part of the pay of an absentee's appointment.] (109)

Chapter II.

Page 269.

Add—

Section 9A.—The pay of an office held by a Native Civil Servant is, unless otherwise specially ordered, 64 per cent. of what would be the gross pay of the office if it were held by a Covenanted Civil Servant appointed after competitive examination in England. (1870.)

be if his substantive office also were paid from the General Revenues.

Section **10**.—The maximum Civil Salary except for an Ordinary Member of the Council of Governor General is Rs. 50,000 a year. But Sumptuary Allowances may be granted in addition to this maximum.

CHAPTER III.

THE COVENANTED CIVIL SERVICE, AND MILITARY OFFICERS SUBJECT TO CIVIL RULES, EXCEPTING THOSE ACTING IN APPOINTMENTS OF WHICH THE PAY IS A STAFF SALARY, AND EXCEPTING ALSO THOSE IN THE PUBLIC WORKS DEPARTMENT (INCLUDING THE RAILWAY REVENUE ESTABLISHMENT), THE SURVEY, OR THE FOREST DEPARTMENT.

Officers with substantive appointments.

Section **11** (*a*).—An Officer with a substantive appointment, officiating in another appointment or in a higher grade, is entitled to an Acting Allowance of one-fifth of the pay of the appointment or grade.

Minimum Acting Allowance.

(*b*).—But the Acting Allowance shall not be less than two-thirds of the difference between the pay (or, if the pay is progressive, the minimum pay) of the appointment or grade, and the pay of the Officiating Officer.

(*c*).—Nor shall it be less than Rs. 200.

Settlement Officers.

I. In the North-Western Provinces, when a Settlement Officer officiates in an appointment in another Department, his salary shall be calculated as if his pay were the pay of the Ordinary Grade next below the standing which he occupies in the Settlement Department.

Grades of a Class.

Section **12**.—An Officer officiating in a Class divided into Grades will officiate in the Lowest Grade, unless it be otherwise specially ordered.

[*Illustration.*—A is Magistrate, in the First Grade, of Nuddea: B is Magistrate of Midnapore, the senior in the Second Grade: C is a Joint Magistrate. If A takes leave, then, in ordinary course of promotion, B would obtain officiating promotion to the First Grade without leaving Midnapore, and C, appointed to officiate as Magistrate of Nuddea, would officiate in the Second Grade.]

Officer without substantive appointment.

Section. **13.**—An Officer without a substantive appointment is entitled to Subsistence Allowance with an Acting Allowance of half the pay of any appointment in which he officiates.

[NOTE.—For rates of Subsistence Allowance, see Civil Leave Code, Section 30, Rule 1.]

CHAPTER IV.

MILITARY OFFICERS SUBJECT TO MILITARY RULES, AND MILITARY OFFICERS SUBJECT TO CIVIL RULES ACTING IN ANY APPOINTMENT OF WHICH THE PAY IS A STAFF SALARY [NOT BEING IN THE PUBLIC WORKS DEPARTMENT (INCLUDING THE RAILWAY REVENUE ESTABLISHMENT), THE SURVEY, OR THE FOREST DEPARTMENT].

[NOTE.—A Military Officer employed in the Military Secretariat of the Government of India, Madras, or Bombay, though drawing pay in the Civil Department, is not subject to this Code.]

Specification of cases.

Section **14.**—The cases which may occur are these:—

(*A*). An Officer officiating in an appointment of which the pay is Consolidated may be—

Case 1.—An Officer without a substantive appointment.
Case 2.—An Officer having a substantive appointment the pay of which is consolidated.
Case 3.—An Officer having a substantive appointment the pay of which is a Staff Salary.

(*B*). An Officer officiating in an appointment of which the pay is a Staff Salary may be—

Case 4.—An Officer without a substantive appointment.
Case 5.—An Officer having a substantive appointment the pay of which is consolidated.
Case 6.—An Officer having a substantive appointment the pay of which is a staff salary.

1. An appointment of which the pay is fixed upon the assumption that it will be held by a Civil Officer, Covenanted or Uncovenanted,

is treated, for the purposes of this Section as if the pay of it were "consolidated."

Appointments on Consolidated Pay.

Section **15**.—In *Case 1* the Officer is entitled to his pay. If his pay is less than the following Subsistence Allowance added to half the pay of the appointment, then the Officer is entitled, besides his pay, to such Acting Allowance as will make the total equal to the sum of the following Subsistence Allowance added to half the pay of the appointment:—

Subsistence Allowance.

	Rs.	
For an Officer of the rank of Captain or Subaltern	250	a month.
For an Officer of the rank of Major	320	,,
For higher ranks	400	,,

Appointments on Staff Salary.

Section **16**.—In *Cases 2 and 3* the Acting Allowance is regulated by Sections 11 and 12.

Section **17**.—In *Cases 4, 5, and 6*, the salaries are calculated by Military Rules*: any excess of the consolidated pay of the substantive appointment in *Case 5*, over the military pay and allowances or the staff corps pay of the Officer, being treated as a staff salary.

---

* The Military Rules referred to are as follows:—

(1) For an Officer officiating for an Absentee who is subject to the Rules of 1854—

An Officiating Officer will draw half the Staff Salary of the appointment for the first six months. After acting for six months (or earlier if it is available), he will become entitled to the full Staff Salary. But in such case, he can draw no portion of the Staff Salary of his substantive appointment.

(2) For an Officer officiating for an Absentee who is subject to the Rules of 1868—

An officiating Officer will draw half the Staff Salary of the appointment and half the Staff Salary of his substantive appointment (civil or military) if he have one: Provided that the whole Staff Salary thus drawn shall not be less than Rs. 100 a month, unless the full Staff Salary of the post in which he is officiating is less than that sum. If the full Staff Salary is available, he may draw the whole of it, but in such case he can draw no portion of the Staff Salary of his substantive appointment.

(3) For an Officer officiating for an Absentee under the Rules of 1875—

The Rules are those which apply to an Officer officiating for an Absentee under the Rules of 1868, except that as the furlough allowance of an Officer subject to the Rules of 1875 varies in the case of his transfer from one appointment to another during furlough (*Pay Code, Vol. I, Article 1043F.*), the salary of the Acting Officer would likewise vary (*Article 218*); while the furlough allowance of an Officer subject to the Rules of 1868 is unaffected by such transfer (*Article 1026*).

Medical appointments.

Section **18** (*a*).—As an exception to Sections 15 and 16, the allowances of a Commissioned Medical Officer, officiating in an appointment the pay of which was fixed by General Order of the Government of India in the Military Department, No. 370, dated the 4th April 1867, shall be regulated by Section 17, on the assumption that the pay of the appointment is a Staff Salary equal to the difference between the Officiating Officer's unemployed pay and the consolidated pay he would receive if he held the appointment substantively.

(*b*).—Provided that, whatever may be the appointment held by an Officer appointed to the Medical Service before the 7th November 1864, his aggregate allowances shall not be less than the grade pay of his rank.

[NOTE.—If a Military Officer officiating in a military appointment has a substantive appointment in the Civil Department, he draws in the Military Department the allowances to which he would have been entitled under Military Rules had his substantive appointment been an appointment in the Military Department.]

CHAPTER V.

THE PUBLIC WORKS DEPARTMENT.

[ENGINEER ESTABLISHMENT, SUPERIOR RAILWAY REVENUE ESTABLISHMENTS, AND SUPERIOR OFFICERS OF ACCOUNTS BRANCH.]

[NOTE.—These Rules do not apply to cases of *Temporary Promotion*, which is given when Officers obtain leave which is not Privilege Leave and which causes a vacancy likely to last more than three months. In such cases the Officer Temporarily Promoted is entitled to the pay of the appointment.]

No officiating in grades.

Section **19** (*a*).—An Officer of a Class divided into Grades cannot officiate in this Class in a Grade higher than that to which he is substantively appointed.

(*b*).—An Officer officiating in a Rank which is divided into Classes, or in a Class divided into Grades, will officiate in the lowest Class or Grade; but this Rule does not apply to an Officer officiating in an appointment of which the substantive holder must belong to a particular Class.

Chapter V.

Prefixed Note.

Page 272.

Insert the following as a foot-note to "appointment" :—

* For the purpose of Chapter I, Rule V, of the Military Furlough Regulations of 1868, the temporary promotion from one grade to another of an Officer of the Royal Engineers employed in the Public Works Department is an acting appointment, and the grade to which the Officer is permanently attached is his "substantive office." (19)

Section 20 (*b*).

Page 273.

Erratum.—After "A Civil Officer" *insert* "or a Military Officer." [20]

Section **20** (*a*).—An Officer with a substantive appointment, officiating in a higher Class or in another appointment, is entitled to an Acting Allowance, in addition to his pay, of one-fifth of the civil pay of the Class or appointment in which he officiates. Officers with substantive appointment.

(*b*).—A Civil Officer subject to Civil Rules without a substantive appointment is entitled to an Acting Allowance of half the civil pay of the Class or appointment in which he officiates. A Military Officer, subject to Military Rules, without an appointment, is entitled to his pay, and to such Acting Allowance as will make the total equal to the sum of the Subsistence Allowance stated in Section 15, added to half the Civil Pay of the Class or appointment in which he officiates. Officers without substantive appointment.

Explanation.—The Civil Pay of a Graded Class is the Average Civil Pay of the Grades (calculated without reference to the number of appointments in each Grade); but the Officiating Officer's salary shall not exceed the pay of the Lowest Grade.

Section **21.**—The Net Military Pay which an Officer of the Royal Engineers serving in the Department of Public Works on consolidated departmental pay receives in addition thereto, is not taken into account in calculating Acting Allowances. His Civil Salary is fixed independently of his Net Military Pay, to which he is separately entitled over and above his Civil Salary. Net Pay of Royal Engineers.

Section **22.**—In the following cases, Special Allowances may be granted in addition to pay by the Local Government, or, if the Officer is not serving under any Local Government,* by the Government of India: Special Allowances.

(*a*).—To a Subordinate officiating as an Executive Engineer;—Rs. 100, provided that his salary must not exceed the pay of an Executive Engineer of the 4th Grade. Subordinates.

(*b*).—To a Subordinate officiating as an Assistant Engineer;—Rs. 50. This allowance is not admissible on the mere circumstance of the Subordinate holding a charge formerly held by an Assistant, but only when the charge involves duties and responsibilities which,

* See Definition, Section 2(*a*), for the special application of the term here.

in character or extent, are such as are not usually imposed on Subordinate Officers.

Accountant. (*c*).—To an Accountant officiating, with the sanction of the Government of India, for an Examiner or Deputy Examiner;—Rs. 100, provided that his salary must not exceed the pay of a Deputy Examiner.

(*d*).—Acting Allowance will not, as a rule, be granted to an Accountant officiating as Assistant Examiner. If by a special order of the Government of India it is granted, it will not exceed Rs. 50.

CHAPTER VI.

THE SURVEY DEPARTMENT.

[OFFICERS NOT BELOW THE RANK OF ASSISTANT SUPERINTENDENT IN THE SURVEY DEPARTMENT UNDER THE SURVEYOR GENERAL IN INDIA.]

Survey Department. *Section* **23**.—An Officer officiating in the Grade immediately above his own is entitled to the pay of that Grade.

Section **24**.—An Officer officiating in a Grade higher than that immediately above his own is entitled to an Acting Allowance, in addition to his pay, of one-fifth of the ~~Civil~~ Pay of the Grade in which he officiates.

Section **25**.—An Officer without a substantive appointment, is entitled to an Acting Allowance, in addition to his pay (if any), of half the ~~Civil~~ Pay of the Grade in which he officiates.

CHAPTER VII.

OTHER OFFICERS.

Section **26**.—The following are the Rules applicable to Officers in Civil Employ who are—

not Covenanted Civil Servants, or Military Officers,

or in the Public Works (including Railway Revenue Establishments) or Survey (India)

Departments, unless they are officiating in appointments below the rank of Assistant Engineer, or Assistant Examiner, or Assistant Superintendent, or in the case of Railway Revenue Establishments in Classes lower than Class IV,

or Officers of the Superior Establishment of the Forest Department, whose Acting Allowances are regulated by the Special Rules contained in Extract 1 in the Appendix,

or Law Officers, for the Rules regarding whose Acting Allowances, see Supplement C, Civil Leave Code.

Officers with substantive appointments

Section **27** (*a*).—An Officer with a substantive appointment, officiating in an appointment which is open to, and may in practice be held by, a Covenanted Civil Servant or a Military Officer, is entitled to the Acting Allowance defined in Sections 11 and 12.

Examples of the appointments referred to.—The appointments of Postmasters-General and Judges of Small Cause Courts of the First Class in Bengal, *viz.*, the Small Cause Courts in Calcutta and Sealdah, the Principal Court in Jessore, and the Courts in Magurah, Jhenida, Narail, Hooghly, Serampore, and Howrah.

Exception.—Section (27) (*a*) does not apply to the cases of Officers officiating in appointments in the Classified List of the Financial Department.

(*b*).—An Officer with a substantive appointment officiating in an appointment to which Clause (*a*) does not apply, and of which the pay is not less than Rs. 100, is entitled to an Acting Allowance of one-fifth of the pay of the appointment: Provided that, except in the Post Office Department, no Officer may, under this Clause, be appointed to officiate in a higher Grade of his own Class.

Examples of the appointments referred to.—Extra Assistant Commissionerships, Judgeships of Small Cause Courts in Bengal, not mentioned in the example under Section 27 (*a*), and the Subordinate Judgeships with which they are classed.

No officiating in grades.

1. In the Public Works Department no increased allowances are admissible to an Officer of the Upper Subordinate Establishment, or to a Sub-Overseer, for performing duties previously entrusted to one of a higher Grade in either of the Subordinate Establishments.

Munsiffs in Madras.

2. In Madras the First, Second, and Third Grades of Munsifships are treated as distinct *Classes*.

Graded appointments.

Explanation.—The pay of an appointment which belongs to a Graded Class and is not such as is described in Clause (*a*) of this Section, is the Average Pay of the Grades, calculated without reference to the number of appointments in each Grade; but the Officiating Officer's salary shall not exceed the pay of the Lowest Grade, unless he belongs to another Department, and is specially appointed to officiate in a Grade other than the Lowest.

[NOTE.—This Explanation does not apply to appointments in the Post Office Department.]

Officers without substantive appointments.

Section **28** (*a*).—An Officer without a substantive appointment, officiating in an appointment the pay of which is not less than Rs. 100, is entitled to an Acting Allowance of half the pay of the appointment.

(*See explanation under Section 27.*)

Appointments of less than Rs. 200.

(*b*).—If the pay of the appointment is less than Rs. 200, and the Local Government considers that the Acting Allowances admissible by Rule are insufficient, it may grant to the Officiating Officer higher allowances, not exceeding the difference between the pay of the appointment and the portion of it drawn by the absentee for whom he officiates.

[NOTE.—*See Rule 1 under Section 6.*]

Appointments of less than Rs. 100.

Section **29** (*a*).—The salary of an Officer officiating in an appointment of which the pay is less than Rs. 100 should, as far as practicable, be regulated by Sections 27 (*b*) and 28 (*a*).

(*b*).—If an Officer officiating in such an appointment has a substantive appointment, his salary must in no case exceed what it would be if Section 27 (*b*) were exactly applied.

(*c*).—If he has no substantive appointment, the Officer who appoints him may grant him such allowance, not exceeding the pay of the appointment, as he considers necessary:

Provided always that the Absentee Allowances of an Officer whose pay is less than Rs. 100, must not exceed

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Cancel the prefixed Note.[48]

the difference between his pay and the sum of the Acting Allowances paid in consequence of his absence. (*See Civil Leave Code, Supplement F, Section 3, and Rule 2 under it.*)

[NOTES (1.)—This Proviso does not apply to the cases noted as *Exceptions* (1) and (2) under Section 3 of Supplement F to the Civil Leave Code.

(2.)—When the appointment is the ultimate result of the deputation of an Officer to other public duty, and not of the absence of an Officer on leave, this proviso does not apply. In such case Clause (*c*) operates absolutely.]

CHAPTER VIII.

PLURAL APPOINTMENTS.

[NOTE.—This Chapter applies to all Officers employed in the Telegraph Department, except as to cases provided for in Rule VIII of the Telegraph Code, Chapter D.] (*See Extract 2 in the Appendix.*)

Two or more appointments

Section **30.**—The salary of an Officer holding substantively, or officiating in, two or more independent appointments at one time, is regulated as follows:—

(*a*)—He draws the highest salary to which he would be entitled if he held, or, as the case may be, officiated in, any one of the appointments alone:

(*b*)—For the other appointment or appointments, he draws such allowances as the Local Government may fix, not exceeding for each appointment half the salary which he would draw if he held, or, as the case may be, officiated in it alone:

(*c*)—Provided that his aggregate salary shall not exceed the pay which he would draw in the most highly paid of the appointments, if he held it substantively and alone.

1. This Proviso may be dispensed with, if the Local Government declares that, for special reasons (to be recorded and, unless the extra expense falls only upon Provincial or Local Resources, communicated to the Supreme Government,) it is necessary, on

public grounds, to entrust to the one Officer the duties of the several offices at once, and that the salary to which he would be limited by this proviso is not enough.

[*Illustration.*—A Covenanted Civil Servant holding a substantive appointment, A, of which the pay is Rs. 1,000, is appointed, without being relieved of his own duties, to officiate in two appointments, B, of which the pay is Rs. 1,600, and C, of which the pay is Rs. 2,200.

If he held A only, he would draw	Rs. 1,000
If he officiated in B only he would draw pay Rs. 1,000, and acting allowance Rs. 400 ...	„ 1,400
If he officiated in C only, he would draw pay Rs. 1,000, and acting allowance Rs. 800 ...	„ 1,800
He will therefore draw for C (which carries the highest salary)	„ 1,800

And, but for Proviso (*c*), he would be entitled for B and A to such allowances as the Local Government may fix, not exceeding Rs. $\frac{1,400}{2} = 700$ for B, and $\frac{1,000}{2} = 500$ for A.

Exceptions

But, in consequence of this Proviso, his aggregate salary must be limited to Rs. 2,200 (the pay of appointment C), unless the declaration prescribed in Rule 1 be made.]

Section **31** (*a*).—Section 30 does not apply to the case of an Officer officiating at the same time in two or more appointments which are ordinarily held substantively by one individual; in such case, the two appointments shall, for the purpose of calculating Acting Allowances, be treated as one appointment upon the aggregate pay:

(*b*)—Or to the case of an Officer discharging the duties of more than one appointment in the same office, or on the same establishment. An Officer so employed is entitled to the highest salary to which he would be entitled if he held or officiated in any of the appointments alone, and to nothing more.

EXAMPLES.—An Under Secretary discharging the duties of a fellow Under Secretary in the same Office or Department as well as his own.

A Joint Magistrate appointed, in addition to his own duties, to officiate, as Magistrate of the District. In this case he gets allowances only as officiating Magistrate of the District.

A District Judge deprived of the help of an Additional or Assistant Judge, and therefore doing the Additional or Assistant Judge's work.

Section 30.

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Insert the following Rule under this Section :—

2. This Section does not apply to a Government officer appointed to be a Minor Professor under the Medical Warrant of April 1867, or a Professor or Lecturer in any Government institution, to the duties of which offices an officer is not required to devote his whole time. (123)

A Joint Magistrate doing the work of a second Joint Magistrate in the District as well as his own.

A Clerk doing the duties of another Clerk in the same Office.

A Director of Public Instruction doing the work of one of his Inspectors, or one Inspector in the Educational Department doing the work of a fellow Inspector, in addition to his own.

(*c*)—Nor does Section 30 affect Local Allowances given for the performance of separate duties.

1. A Regimental Medical Officer appointed to act as Civil Surgeon of a Station without relinquishing his Regimental Duties is entitled to an Acting Allowance of Rs. 100 a month. With this exception, the allowances for the additional charge of an appointment of the kind described in Section 18 are regulated by Military Rules, and not by this Code.

2. A Covenanted or Uncovenanted Civil Officer placed in charge of a Cantonment Magistracy in addition to his own duties, is entitled to an Acting Allowance of Rs. 100 if the Cantonment Magistracy is of the Second Class, and Rs. 150 if it is of the First Class. But, as a rule, only Military Officers should hold Cantonment Magistracies.

Charge of current duties.

Section **32**.—When an Officer is appointed to be in charge of the current duties of an office in addition to his own duties, and the charge, in the opinion of the Local Government, entails a substantial increase of responsibility and some additional work, he is entitled to a Charge Allowance, to be fixed by the Local Government, not exceeding one-tenth of the pay of the office. If the office is open to, and may in practice be held by, a Covenanted Civil Servant or a Military Officer, the allowance shall not be less than Rs. 100. Provided that the salary of an Officer, appointed to be in charge of the current duties of an additional office, shall never exceed the salary which he would receive for officiating in the office.

EXAMPLE.—One effect of the Proviso in this Section is that, unless the Local Government thinks it necessary to make the declaration indicated in Rule 1 under Section 30, Clause (*c*), an Officer is not entitled to any allowance for taking charge of an office the pay of which is not more than that of his own substantive office.

Charge Allowance.

Exceptions—(1).—When a Subordinate Judicial Officer is placed in charge of a District Judge's Office, or when an

Officer is placed in charge of a Political Agency, or Residency of the second or third Class, the Charge Allowance is fixed at Rs. 150 a month.

(2).—An Upper Subordinate in the Public Works Department placed by Competent Authority in charge of the current duties of an Executive Engineer's Office in addition to his own duties, draws an allowance of Rs. 50 in addition to his own salary within the limit of the pay of an Executive Engineer, fourth Grade. Any other Officer of the Public Works Department, appointed without being relieved of his own duties to be in charge of the current duties of an office of higher Class than his own, may be permitted to draw a charge allowance of one-tenth of the pay of the higher Class.

(3).—An Executive Engineer in charge of two Divisions may, as a special and temporary arrangement, receive a Charge Allowance of Rs. 100.

(4).—A Sub-Assistant Patrol of the Inland Customs Department, when placed in charge of a beat owing to the absence on leave of a Patrol or an Assistant Patrol, is entitled to a Charge Allowance of Rs. 15.

(5).—Whenever the administrative and medical charges of a Central Jail are not united, the Officer appointed to the Medical Charge of the Jail is entitled to an allowance of Rs. 100 or, in special cases, at the discretion of the Local Government, Rs. 150: Provided always that the aggregate cost for the administrative and medical charges shall not exceed the total pay payable for the combination of the two charges in one person.

(6).—A talati (Village Accountant, Bombay) placed in charge of the duties of another talati in addition to his own duties, is entitled to allowances as follows:—

(*a*).—If the talati whose duties he performs in addition to his own receives fixed pay:—such portion of that fixed pay, not exceeding one-half, as the Collector of the District may determine.

(*b*).—If the talati whose duties he performs in addition to his own is remunerated by a percentage on the revenue:—such portion of such percentage as the Collector may determine:

Provided always that no extra expense shall be caused to the Government by the arrangement.

(7).—An Assistant Magistrate, or Collector, or an Assistant Commissioner placed in charge of the duties of District Superintendent of Police, is entitled to a Charge Allow-

ance of Rs. 100 a month, provided that no class promotion be given in the Police Department in consequence of the leave or deputation of the Officer of whose office the Assistant Magistrate or Collector or Assistant Commissioner has charge. This Rule applies to Supernumerary Assistant Collectors in the Bombay Presidency.

(8). An Officer in Medical Charge of a Civil Station is entitled to an allowance of Rs. 100 for holding visiting charge of a second Station.

1.—No Allowance is admissible under this Section unless the incumbent has actually given over charge of the office under the orders of Competent Authority, and is absent on leave or deputation. For instance, no allowance is admissible to a Subordinate Officer empowered to dispose of routine business while his Superior is on tour.

2.—No allowance is admissible to a magisterial or other non-medical Officer for the executive charge, either permanently or temporarily, of a District Jail.

3. An Officer placed in charge of the current duties of an office is not entitled to any fixed Travelling, Tentage, or Local Allowances attached to the office, except under the special orders of the Local Government.

Section **33**.—When a Military Officer is appointed to officiate in a Civil Office, without being relieved of his Military Duty, his allowances for his civil duties are regulated in accordance with Section 30 and Rule 1 under it. If he has no substantive appointment in the Military Department, the pay of his rank is held to be his substantive pay for the purposes of Section 30. The allowances for his civil duties are drawn in the Civil Department, and his allowances for his military duty are drawn in the Military Department.

CHAPTER IX.

APPOINTMENTS ON PROGRESSIVE PAY.

Section **34** (*a*).—When an Officer is first appointed (whether the appointment be substantive or officiating) to an office of which the pay is Progressive, and the

minimum pay is not less than Rs. 100, the pay of the appointment shall, for the purpose of calculating his salary, be ascertained by counting towards the increment any excess over one year in the period immediately preceding the date on which the appointment takes effect during which the Officer's pay has been continuously

(1) not less than the minimum pay of the appointment, and

(2) if Progressive, or subject to increase on passing an examination,—at its maximum:

Provided that not more than a year can be counted under this Section.

(*b*).—If the minimum pay of the appointment is less than Rs. 100, no time can be counted towards the increments before the date on which the appointment takes effect.

Example.—A. B. had, since the 1st July 1870, been drawing the maximum pay (Rs. 600) of his appointment. On the 1st December 1871 he was appointed to officiate in an office the pay of which rises from Rs. 600 to Rs. 800. Under this Section, he counts five months out of the seventeen intervening between the 1st July 1870 and the 1st December 1871. This Section, however, does not fix his salary, but only determines one of the elements necessary for its calculation.

Section **35**.—After an Officer's first appointment, the pay of the appointment shall, for the purpose of calculating his salary, be ascertained by counting towards the increments (in addition to any time admissible under Section 34)—

i.—Any time, whether continuous or not, during which he has officiated in the appointment, and during which—

(1) his salary has been not less than the minimum pay of the appointment, and

(2) his pay, if progressive, or subject to increase on passing an examination, has been at its maximum,

Provided that when the minimum pay of a higher Class is equal to the maximum pay of a lower Class of which the pay is progressive, an Officer whose substantive appointment is in the lower Class, can under no cir-

cumstances, begin to count time for increments in the higher Class until his pay has been, for one year, at its maximum.

Example.—C. D. holds an appointment of which the pay rises from Rs. 400 to Rs. 600. His pay on the 1st January 1873 is Rs. 560: on the 1st June he obtained the maximum pay of Rs. 600. He was appointed in February 1873 to officiate in an appointment of which the pay rises from Rs. 600 to Rs. 800. He could not begin to count time in this appointment until the 1st June 1874, when his substantive pay had been at its maximum for one year.

ii.—Any time during which he has held the appointment substantively.

Example.—A. B. (the Officer in the example under Section 34) under this Section, counts the time subsequent to 1st December 1871, during which he is officiating in the appointment. But this Section, like the last, does not of itself fix his salary.

Section **36**.—Section 35 does not apply to the case of an Officer the pay of whose appointment is changed during his tenure of office. In such case, if the new pay is Progressive, the Officer is not entitled to the first increment on his old pay till a year after the date of the order sanctioning the increase.

Examples.—(1). The pay of A. B.'s appointment is Rs. 300: on the 1st July 1876 it is changed to Rs. 250 rising by five annual increments of Rs. 20 to Rs. 350. A. B. is entitled to Rs. 320 from the 1st July 1877.

(2.) The pay of C. D.'s appointment is Rs. 200 rising by five equal annual increments to Rs. 300. C. D.'s pay has been Rs. 300 for five years. The pay of the appointment is changed by an order, dated 1st July 1876, to Rs. 250 rising by five equal annual increments to Rs. 350. C. D. is entitled to Rs. 320 from the 1st July 1877.

Section **37** (*a*).—If the Officer is officiating in a Progressive appointment, his Acting Allowance shall be calculated on the mean pay of the appointment; his maximum salary shall be the pay of the appointment fixed in accordance with Sections 34 and 35; and his minimum salary shall be half the mean pay of the appointment. Rule for calculating salary.

(*b*).—If the Officer holds the appointment substantively, his pay shall be the pay of the appointment fixed in accordance with Sections 34 and 35.

Example.—The "pay of the appointment," as fixed for A. B. in the example under Section 34, is—

From December 1st, 1871	...	Rs. 600
From July 1st, 1872	...	„ 640
From July 1st, 1873	...	„ 680
From July 1st, 1874	...	„ 720
From July 1st, 1875	...	„ 760, and so on.

If he officiates only he gets Rs. 740 (*i. e.* Rs. 600 + $\frac{7}{8}\frac{4}{0}$), limited at first to Rs. 600, after the 1st July 1872 to Rs. 640, after the 1st July 1873 to Rs. 680, and after the 1st July 1874 to Rs. 720. But, after the 1st July 1875, he will draw the full Rs. 740, as the limit is then Rs. 760.

If he, at any time, obtains the appointment substantively, he gets the full pay above stated.

1. Unless under special orders by the Director General, an Officer of the Post Office can count time only under Section 35, and can count under Part I of that Section only so much time as is continuous.

Section **38.**—An Officer may, by excluding a previous appointment, count a subsequent appointment as the "first" appointment under these Rules.

Example.—E. F., who had been drawing the maximum pay of his substantive office from the 1st January 1869, was appointed to officiate from the 1st January to the 31st March 1870 in an office on Progressive Pay, the minimum of which is the same as his maximum pay. He was again appointed to officiate in the higher office from the 1st January 1872, and was entitled, under Section 35, to count towards increments of salary the *three months* of his first officiating tenure. But if the appointment in 1872 were his "first" appointment to officiate in the higher office, he would be entitled under Section 34 to count *one year* towards increments of salary. E. F. is allowed to ignore his appointment in 1870, and count his second appointment as if it were his first.

Section **39.**—In Departments in which the pay is classified, an Officer may count, under Section 35, any time during which he has officiated in a higher Class, as if he had during that time officiated in any lower Class. Time thus counted cannot be afterwards counted towards an increment in the higher Class.*

* The Rules in Sections 34 and 39 were first promulgated in the Acting Allowance Code, dated the 1st August 1871.

Section 39 may be applied in fixing the salaries of Officers in the appointments which they were holding on the 1st August, but no back pay before the 1st can be drawn in consequence of the permission given by it.

Time spent on leave.

Section **40**.—Time spent on Leave With Allowances counts towards increments in the same manner as if during it the Officer had actually held or Officiated in (as the case may be) the appointment on which he has a lien.

Suspension.

Section **41**.—Time passed under Suspension does not count towards increments, if the suspension is a penalty for misconduct; but an Officer, in directing reinstatement of a person who has been suspended, may declare that the time shall count.

Condition of Periodical Increments.

42 *Section* .—A Periodical Increment should not be granted to an Officer serving on Progressive Pay as a matter of course, or unless his conduct has been good. A Periodical Increment may be withheld from a Ministerial or Menial Officer at the discretion of the Head of his office. A Periodical Increment cannot be withheld from any other Officer without the sanction of the Local Government, which may, however, delegate the power of withholding such Increments to Heads of Departments or other Supervising Officers.

Period of rise in progressive pay.

Section **43**.—A Progressive Pay shall not ordinarily rise from the minimum to maximum by less than five equal yearly increments. If, in any case, a progressive pay already sanctioned rises from a minimum to a maximum in less than five years, then, upon the first occurrence of a succession to the office, the pay must be modified in accordance with this Rule, so that the growth from the minimum to the maximum may be by not less than five equal yearly increments.*

Section 34 can be applied only in fixing the salaries of Officers in appointments made on or after the 1st August 1871, but any Officer holding an appointment on the 1st August 1871, may count that appointment as if it had been "first" made on that date.

* The increase thus ordered in the period in which the pay of any office existing on the 27th October 1875 shall rise from a minimum to a maximum shall not apply, in the case of a Department divided into Grades or Classes, to any Officer who was already on that date a member of the Department.—(*Resolution No. 3137, dated 21st December 1875.*)

A Department divided into Grades or Classes, within the meaning of the Resolution of the 21st December 1875, is that portion of any Department which is divided into Grades or Classes, and does not include any Branch which is not so divided. It does not include Office Establishments, or any Establishments the members of which are not gazetted, *i. e.*, do not receive their appointments direct from the Government.—(*Resolution No. 793, dated 13th February 1877.*)

CHAPTER X.

EXCEPTIONAL CASES.

Members of Council.

Section **44**.—The salary of a person appointed to be a Temporary Member of the Executive Council of the Governor General, or of the Governor of Madras or Bombay, is regulated by Act of Parliament, Section 27 of 24 & 25 Vic., Cap. 67, as follows:

Section 27.—If any vacancy shall happen in the office of an Ordinary Member of the Council of the Governor General, or of the Council of either of the Presidencies when no person provisionally appointed to succeed thereto shall be then present on the spot, then, and on every such occasion, such vacancy shall be supplied by the appointment of the Governor General in Council, or the Governor in Council, as the case may be; and until a successor shall arrive, the person so nominated shall execute the office to which he shall have been appointed, and shall have all the powers thereof, and shall have, and be entitled to, the salary and other emoluments and advantages appertaining to the said office during his continuance therein, every such temporary Member of Council foregoing all salaries and allowances by him held and enjoyed at the time of his being appointed to such office; and if any Ordinary Member of the Council of the Governor General or of the Council of either of the Presidencies, shall, by any infirmity or otherwise, be rendered incapable of acting or of attending to act as such, or if any such Member shall be absent on leave, and if any person shall have been provisionally appointed as aforesaid, then the place of such Member absent or unable to attend shall be supplied by such person, and if no person provisionally appointed to succeed to the office shall be then on the spot, the Governor General in Council, or Governor in Council, as the case may be, shall appoint some person to be a temporary Member of Council, and until the return of the Member so absent or unable to attend, the person so provisionally appointed by the Secretary of State in Council, or so appointed by the Governor General in Council, or Governor in Council, as the case may be, shall execute the office to which he shall have been appointed, and shall have all the powers thereof, and shall receive half the salary of the Member of Council whose place he supplies, and also half the salary of his Office under the Government of India, or the Government of either of the Presidencies, as the case may be, if he hold any such office, the remaining half of such last-named salary being at the disposal of the Government of India, or other Government as aforesaid: Provided always that no person shall be appointed a temporary Member of the said Council who might not have been appointed as hereinbefore provided to fill the vacancy supplied by such temporary appointment.

Lieutenant-Governor.

1. The salary of a person appointed to officiate as Lieutenant-Governor is regulated in the same way as the salary of a person appointed under this Section to be a temporary Member of Council.

High Court Judicature.

Section **45**.—An Officiating Chief Justice, or Judge, of any High Court, or of the Chief Court of the Punjab, is entitled to the full pay of the appointment.

Law Officers.

Section **46**.—An Officiating Law Officer, who is not subject to the Rules in Supplement C to the Civil Leave Code, draws, as Acting Allowance, the difference between

A. A. C.

Section 44.

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Insert the following Notes under this Section :—

NOTES.—(1.) A Good Service Pension comes within the "allowances," which a temporary Member of Council appointed on a vacancy occurring in the office of an Ordinary Member must forego.

(2.) The salary of the substantive office of a temporary Member of Council appointed in the place of an Ordinary Member of Council who, by reason of infirmity or otherwise, is rendered incapable of acting or is absent on leave, includes the Military pay or Staff Corps pay of an officer holding an appointment the pay of which is a staff salary, but does not include a Good Service Pension. Such a temporary Member is not liable to any deduction of salary on account of Good Service Pension. (150 G.)

DEPARTMENT OF FINANCE;
The 3rd August 1880.

R. B. CHAPMAN,
Secy. to the Govt. of India.

A. A. C.

Section 44.

Page 286.

Insert the following as Rule 2 *under this Section :—*

2. A Public Officer nominated under Section 10 of the Indian Councils Act, 1861, to be a member of the Council of the Governor General for the purpose of making Laws and Regulations, only receives, while he is actually on duty with the Council and not at any other time, a Deputation Allowance calculated as if he was acting in an appointment the pay of which is Rs. 50,000 a year: Provided always that his Deputation Allowance may not exceed Rs. 7,400 in any one financial year, and his salary including Deputation Allowance may not exceed Rs. 4,166⅔rds in any calendar month. (6)

the allowance attached to the appointment and the portion of it drawn by the Absentee for whom he officiates.

Section **47.**—The undermentioned Officers, officiating or substantive, are entitled to minimum salaries as follows :—

	Rs.
Accountant General in Bengal, Madras, or Bombay	1,500
Accountant General in the North-Western Provinces or in the Punjab	1,200
Accountant General (or Deputy Accountant General in independent charge) in British Burmah	1,000
Deputy Accountant General (in independent charge) in the Central Provinces, Assam, Hyderabad, or Mysore	800
Examiner of Public Works Accounts in Bengal, Madras, or Bombay ...	950
Examiner of Public Works Accounts in the North-Western Provinces or the Punjab	900
Supernumerary Deputy Collector in Sindh	400
Uncovenanted Medical Officer in medical charge of a Civil Station	350
Extra Assistant Commissioner, 3rd class, in British Burmah...	75
An Assistant Superintendent of Police serving in the Hill Tracts of the District of Ganjam, in the Parvatipur and Nursipatam Divisions of the District of Vizagapatam and in the Wynaad Division of the District of Malabar ...	Full pay of the appointment.
An Assistant Superintendent of Police serving in the Lower Provinces of the Bengal Presidency holding no substantive appointment under Government ...	250
An Assistant Superintendent of Police serving elsewhere, except those promoted from Lower Grades	200
A Munsif serving in the Lower Provinces of the Bengal Presidency holding no substantive appointment under Government	150
Assistant Patrol in the Inland Customs Department	100
Supernumerary assistant to the Collector of Salt Revenue in Bombay :	
On first appointment	200
„ passing First Examination ...	250
„ „ Second „ ...	300
Extra Assistant Commissioner, except as above, and in the Kumaon and Ghurwal Districts ; Extra Assistant Superintendent in the Andaman and Nicobars ; and Sub-Assistant Conservators, Forest Department (if the Government of India in the Revenue Department think it necessary)	200

1. The maximum salary of an Officiating Naib Tahsildar in the Punjab is thirty rupees.

Section **48.**—For the following cases there are Special Rules :—

(*a.*)—A Clergyman appointed to perform the duties of a Chaplain on the Regular Establishment is entitled to an allowance of Rs. 100.

(*b.*)—A Clergyman appointed by the Additional Clergy Society to a Station at which the appointment of a Clergyman of the Society has been authorised by the Government of India in the Home Department, or to a charge usually held by a Chaplain on the regular establishment, is entitled, provided that there is no Chaplain on duty at the same place, to an allowance of Rs. 150.

(*c.*)—The Government of India may grant to a Minister appointed by the Church of Scotland for service in any Station, an allowance of Rs. 100 whenever not less than one hundred Presbyterian soldiers are quartered at the Station, and of Rs. 150 a month when the number of such soldiers at the Station exceeds two hundred.

(*d.*)—A Chaplain officiating as Archdeacon is entitled to an acting allowance of Rs. 166-10-8 in addition to his pay as Chaplain.

(*e.*)—An Assistant Surgeon officiating for or appointed to do the duties of a Civil Surgeon is entitled to an allowance in addition to his pay as follows :—

If he be in the First or Second Grade :—Rs. 150 (but he must forfeit the Punjab allowance of Rs. 50 if he has it).
If he be in the Third Grade :—Rs. 100.
If the Civil Surgeon retains visiting charge of the Station, the Assistant Surgeon is entitled to half these allowances.

[NOTE.—These Allowances are Local Allowances.]

(*f.*) A Graded Officer of the Geological Survey may, on the occurrence of a temporary vacancy in the Graded List of the Department, be temporarily allowed a salary equal to the pay to which he might, under the Rules of the Department, have been promoted if the vacancy had been permanent.

(*g.*) An Acting Supernumerary Deputy Collector in Sind, officiating as Deputy Collector, is entitled in addition to salary as Acting Supernumerary Deputy Collector, to an allowance of two-thirds of the difference between this salary and the pay of the Grade in which he officiates.

APPENDIX.

EXTRACTS.

1.

Extract from the Rules of the appointments, &c., of Officers of the Forest Department under the control of the Government of India.

(I.)—(Rule XII of 1869 modified by the Resolution of the Government of India in the Department of Revenue, Agriculture and Commerce, No. $\frac{5}{290-301}$, dated the 18th March 1875). As a rule, all officiating appointments to the office of Conservator, Deputy and Assistant Conservators, will be made to the Lowest Grade, and in such cases the salary of the Officiating Officer will be the pay of the Lowest Grade of the office in which he officiates. The numbers in the Grades of Deputy and Assistant Conservator being however now fixed, it has been decided as a temporary arrangement, which, it must be clearly understood, will not be continued after the establishment has been re-organised, to permit Officers of one Grade to act in temporary vacancies that may occur in higher Grades within the classes of Assistant and Deputy Conservators, and to extend to the Officers of the Forest Department the concession granted to Officers of the Survey Department in the Rules contained in Sections 23 and 24 of the Acting Allowance Code.

(II.)—(*Rule XIII of 1869 unaltered*). If in any special case an officiating appointment is made otherwise than to the Lowest Grade or Class of Assistant or Deputy Conservator, or Conservator, the salary of the Officiating Officer will be regulated by the ordinary Rules regarding Acting Allowance, or will be fixed specially by the Government of India.

2.

Extract from the Telegraph Code, Chapter D.

VIII.—A Superintendent holding charge of two Divisions will receive an allowance of Rs. 100, and any Assistant Superintendent in charge of two Subdivisions, Rs. 50. This, however, is only to be allowed under special circumstances, and as a temporary arrangement, and must be reported to the Government of India for confirmation.

THE CIVIL PENSION CODE.

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